

# Agenda



**AGENDA for a meeting of the DEVELOPMENT CONTROL COMMITTEE in the Council Chamber, County Hall, Hertford on MONDAY, 19 FEBRUARY 2018 at 10.00AM.**

**MEMBERS OF THE COMMITTEE (10)** (Quorum = 3)

D Andrews, D J Barnard, S J Boulton, D S Drury, E M Gordon, J S Hale, M D M Muir (Vice-Chairman), S Quilty, I M Reay (Chairman), A D Williams

## **AGENDA**

### **AUDIO SYSTEM**

The Council Chamber is fitted with an audio system to assist those with hearing impairment. Anyone who wishes to use this should contact the main (front) reception.

### **PART I (PUBLIC) AGENDA**

Meetings of the Committee are open to the public (this includes the press) and attendance is welcomed. However, there may be occasions when the public are excluded from the meeting - for particular items of business. Any such items are taken at the end of the public part of the meeting and are listed below under "Part II ('closed') agenda".

### **MINUTES**

To confirm the minutes of the meeting of the Development Control Committee held on 22 January 2018 (*to follow*).

### **PUBLIC PETITIONS**

The opportunity for any member of the public, being resident in or a registered local government elector of Hertfordshire to present a petition relating to a matter with which the Council is concerned, and is relevant to the remit of this Committee, containing 100 or more signatures of residents or business ratepayers of Hertfordshire.

Notification of intent to present a petition must have been given to the Chief Legal Officer at least 20 clear days before the meeting where an item relating to the subject matter of the petition does not appear in the agenda, or at least 5 clear days where the item is the subject of a report already on the agenda.

[Members of the public who are considering raising an issue of concern via a petition are advised to contact their local member of the Council. The Council's arrangements for the receipt of petitions are set out in Annex 22 - Petitions Scheme of the Constitution.]

If you have any queries about the procedure please contact Deborah Jeffery on telephone no. (01992) 555563.

## **MOTIONS (Standing Order C9)**

Motions may be made on a matter relevant to the Committee's terms of reference (other than motions relating to a matter on the agenda, which shall be moved when that matter is discussed).

Motions must have been notified in writing to the Chief Legal Officer by 9 am on the day before the meeting and will be dealt with in order of receipt.

No motions had been submitted at the time of agenda dispatch.

- 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 Assistant Director of Environment*

Local Member: J D Williams

Adjoining Members: T C Heritage and A Brewster

## **OTHER PART I BUSINESS**

Such other Part I (public) business which, the Chairman agrees, is of sufficient urgency to warrant consideration.

## **PART II ('CLOSED') AGENDA**

### **EXCLUSION OF PRESS AND PUBLIC**

There are no items of Part II business on this agenda but if an item is notified the Chairman will move:-

*"That under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph \*\**

*of Part 1 of Schedule 12A to the said Act and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”*

If you require a copy of any of the reports mentioned above or require further information about this agenda please contact Deborah Jeffery, Assistant Democratic Services Manager on telephone no. 01992 555563 or email: [deborah.jeffery@hertfordshire.gov.uk](mailto:deborah.jeffery@hertfordshire.gov.uk)

Agenda documents are also available on the internet  
<https://cmis.hertfordshire.gov.uk/hertfordshire/Calendarofcouncilmeetings.aspx>

**KATHRYN PETTITT  
CHIEF LEGAL OFFICER**

**HERTFORDSHIRE COUNTY COUNCIL**

**DEVELOPMENT CONTROL COMMITTEE**

**MONDAY 19 FEBRUARY 2018 AT 10.00AM**

**ST ALBANS DISTRICT COUNCIL**

Agenda Item  
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 Assistant 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 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.

**2. Summary**

- 2.1 The application proposes the construction of a new 6 form of entry secondary school, together with sports hall, multi-use games area, playing fields, new vehicular access and egress from the Lower Luton Road, in addition to 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 application includes a package of off-site highway improvements schemes listed in Appendix 2. The proposed highway works in the vicinity of the site include a toucan crossing to the east of Crabtree Lane, junction modifications to the mini-roundabout at Common Lane/Lower Luton Road junction, a pedestrian footway on the east side



of Common Lane, and the introduction of a 30mph speed limit between Batford and Wheathampstead.

### Education Need

- 2.3 The Education Needs Statement submitted as part of the planning application forecasts a deficit of 131 (4.4FE) places in 2018/19, with a peak demand forecast of 201 (6.7FE) places by 2022/23, indicating there is an urgent and sustained deficit of places.

### Comparative Site Assessment

- 2.4 The Comparative Site Assessment considers the options to deliver the required capacity, including:
- a) expansion at one or more of the three existing Harpenden secondary school sites;
  - b) construction a new secondary school within the urban area of Harpenden, Redbourn or Wheathampstead, and
  - c) construction of a new school in the Metropolitan Green Belt surrounding Harpenden.
- 2.5 For the existing school sites, feasibility studies identified the potential to accommodate an additional 2FE at Sir John Lawes School plus 0.6FE at St Georges School. However, the combined additional capacity (2.6FE) would fall well short of the level of forecast demand, and moreover, the two schools are unwilling to expand on a permanent basis. Therefore, the option to expand at one or more of the existing school sites was not developed further.
- 2.6 Land searches conducted in 2015 and 2017 for potential sites (minimum 2.1hectares) available within the urban areas of Harpenden, Redbourn and Wheathampstead, included land within HCC ownership, commercially available land, and open land. The site search found no available sites of the required size.
- 2.7 The site search on the fringes of Harpenden identified 9 Green Belt sites for new school buildings and playing fields (minimum site area 12ha). Each site was assessed against a range of environmental and Green Belt considerations, alongside highways and planning appraisals. The Comparative Site Assessment produced a shortlist of three sites:
- Site A: Land to the east of Luton Road, Harpenden;
  - Site D: Land east of Lower Luton Road; and
  - Site F: Land to the north of the Lower Luton Road (**the application site**).
- 2.8 The Comparative Site Assessment considered the environmental effects of the development of a 6FE school for each site. Site A was

shown to result in the least adverse environmental effects; Site D was shown to result in less adverse environmental effect (than Site F); in terms of heritage assets, ecology, agriculture, link capacity and for pedestrians and cyclists.

- 2.9 The Green Belt Review submitted as part of the application considered the effect of the proposed development upon the five purposes of the Green Belt. Site A was identified as having the least adverse Green Belt effects (of all sites). Site D and Site F ranked equal in terms of Green Belt effects.
- 2.10 The Viability Assessment submitted as part of the application identified Site A as having been promoted as a potential housing site in the district wide call-for-sites, making the cost of acquiring the site unviable. Site D was previously identified as being included within a potential Green Belt release (housing site) as part of a wider review of the Green Belt. Site F was identified as the most favourable (of the shortlisted sites) in terms of acquisition costs. Following completion of the Comparative Site Assessment the County Council entered into negotiations to acquire the site, and completed the purchase on 25<sup>th</sup> August 2017.

#### Green Belt

- 2.11 The application site is located within the Metropolitan Green Belt. The proposed development of a new school constitutes inappropriate development in the Green Belt, which, in accordance with national planning policy, should not be permitted 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 (NPPF, Paragraph 88).
- 2.12 The proposed development would conflict with the purposes of the Green Belt and would adversely impact upon openness. **Substantial weight** is given to the harm to the Green Belt. The proposed development would also result in other harm, including:
- Moderate-adverse impacts (after 10 years) to the landform, landuse, landscape character areas, and to some visual receptors in the vicinity of the site, which is given **moderate weight**;
  - a slight impact on air quality in the vicinity of the site, to which **limited weight** is given;
  - loss of an agricultural unit, to which **moderate weight** is given, and
  - a potential increase in car journeys, which is given **limited weight**.

### Planning balance

- 2.15 The proposal represents inappropriate development, conflicts with two of the five purposes of the Green Belt, and causes harm to the openness of the Green Belt. The proposal thereby conflicts with Policy 1 (Metropolitan Green Belt) of the St Albans Local Plan Review 1994 and the aims of preserving the Green Belt in the NPPF (Paragraphs 79, 80, 87, 88, 89). Further, the proposal would not preserve or enhance the quality of the landscape, and thereby conflicts with Policy 104 of the St Albans Local Plan Review 1994. The proposal would result in a loss of 17.2 hectares of high grade agricultural land. The proposal is in conflict with Policy 102 of the St Albans Local Plan Review 1994.
- 2.16 The proposal provides an adequately high standard of design which takes into account site context and materials, and provides additional woodland and meadow planting, and the planting of some large individual trees on the edges of the site. There are no proposals for floodlighting. The proposal is thereby regarded as compliant with Policies 69, 74 and 80 of the St Albans Local Plan Review 1994.
- 2.17 The proposal would not have an unacceptable impact in terms of road safety, environmental impact of traffic, road capacity, road hierarchy, and car parking provision. The proposal is regarded as compliant with Policies 34 and 39 of the St Albans Local Plan Review 1994. The proposal is balanced in favour of sustainable transport, in accordance with the aims of promoting sustainable travel in the NPPF (Paragraph 32).
- 2.18 The archaeological conditions require the submission of a method statement to ensure protection and conservation of the identified archaeology within the site. There is also a requirement for further investigations to ensure that any further archaeology that may be discovered during the construction process is protected. The proposed development is thereby compliant with the NPPF (Paragraph 132) and Policy 110 of the St Albans Local Plan Review 1994.
- 2.19 The application has demonstrated through the Education Needs Statement that there is an urgent and sustained demand for additional secondary school capacity for children living within the area of need, including Harpenden and the surrounding villages. The application, through the Comparative Site Assessment, has shown that there are no suitable locations available in areas excluded from the Green Belt. The proposal would comply with Policy 65 (B) (iii) of the St Albans Local Plan for these reasons, provided that very special circumstances can be demonstrated.
- 2.20 The extent of the harm to the Green Belt relates to the inappropriateness of the development, the identified conflict with two of five purposes of the Green Belt, namely, preventing neighbouring towns merging into one another, and safeguarding the countryside from

encroachment, and the identified harm to openness. **Substantial weight** is given to the potential harm to the Green Belt.

2.21 The proposal would result in other adverse impacts, specifically:

- moderate-adverse effects (after 10 years) to landform and landuse of the site and some visual receptors in the vicinity of the site,
- slight adverse impact in terms of air quality in the vicinity of the site;
- a large adverse impact upon agriculture resulting from the loss of an agriculture enterprise and 17.2 hectares of high grade agricultural land;
- potential harm related to the operation of the highway if the school generates significant additional car journeys;

2.22 For these reasons, the proposal is:

- contrary to a number of development plan policies, specifically; Policy 1 (Metropolitan Green Belt); Policy 102 (Loss of Agricultural Land); and Policy 104 (Landscape Conservation) of the St Albans Local Plan Review 1994; and
- conflicts with the aims of the NPPF for Preserving the Green Belt (Paragraphs 79, 80, 87, 88, 89)

2.23 The report identifies the positive elements of the proposal as:

- the wider benefits of providing the level of additional secondary school capacity required within the area of need ;and
- the provision of sports facilities for community use;

2.25 The report identifies -

- there are no suitable, available and deliverable sites within the urban areas of Harpenden, Redbourn, Wheathampstead; and
- there are no alternative sites within the Green Belt surrounding Harpenden, which potentially could result in less harm, and which are available and viable for a school site, as demonstrated by the Comparative Site Assessment.

2.26 The report identifies that 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. Accordingly, **great weight** is given to the need to create a new school within the area of need.

- 2.24 The report regards the need to create additional secondary school capacity within the area of need as very special circumstances to justify inappropriate development in the Green Belt. The great weight given to the need to create a new secondary school within the area of need is regarded as clearly outweighing the substantial weight given to the potential harm to the Green Belt by reason of inappropriateness, and the identified other harm.

### **Recommendation**

- 3.1 For the reasons set out above and in the main body of the report, it is recommended that: planning permission be granted 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

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
- 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
- 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

Prior to the commencement of development, further details required in relation to:

- 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

- Provision of the 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

Prior to the fifth year intake

- Provision of a second phase of waiting restrictions

## **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.

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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

- 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) regarded 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 and construct the new school.
- 4.4 The County Council negotiated the purchase of the site from January 2015 and completed the acquisition of the land on 25<sup>th</sup> August 2017. The landowner retained a strip of land (the '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 submitted on 14 December 2017 and a further period of consultation lasted for 21 days.

### **Site and Surrounding Area**

- 5.1 The application site is located in Harpenden East on the north-east edge of the settlement of Batford. The application site is located immediately north east of the junction of Common Lane with the Lower Luton Road. The site location is shown on the OS extract appended to this report (Appendix 1). The site is approximately 17.20 hectares in area.
- 5.2 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

- 5.3 The tree survey records 29 trees within or adjoining the site, in Categories B1, B2, C2 or U and four hedgerows all Category C2.
- 5.4 The current land use is agriculture. The land is classified Grade 3a, i.e. best and most versatile agricultural land.
- 5.5 The land has been used for cattle grazing for the past 20 to 30 years. In 2013 an agricultural viability report was undertaken to support the comparative site assessment, which identified the land was managed under a farm business tenancy used for rearing beef cattle. The tenant owns Dane Spring Farm (12ha) and occupies other land parcels under annual grazing licences. The land was used for overwintering cattle and was the main base for the farm business.
- 5.6 The tenancy was ended by 2016/17. In 2017 a second agricultural viability report was commissioned to reflect the change in circumstances, which 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

- 5.7 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 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 until 2023.

- 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 7-11 and 250 pupils in the sixth form. Phase 1 of the school, comprising the construction of the sports hall and access from Common Lane, will need to be completed by September 2018. Phase 2, involving construction of the main school buildings is scheduled to be completed 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 The proposed layout is shown on the Landscape Masterplan appended to this document (Appendix 4). The development of the scheme considered several options including:
- super block – one single building;
  - street and fingers - om 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);
  - 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.

#### Phasing

- 6.19 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.
- 6.20 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 Vehicular access from the Lower Luton Road is provided by an entrance located approximately 90m east of the Common Lane junction, with the exit location approximately 90m east of the entrance.

#### Drop off facilities

- 6.23 The 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 subject 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.

### Site levels

- 6.28 The topographical survey submitted as part of the application show the current site levels fall from a high point of 135m AOD in the north east corner of the site to a low point of approximately 85m in the south east corner of the site. The land levels fall generally from east to west and

from north to south. There is a shallow valley feature on the western side of the site close to Common Lane.

6.29 The proposed levels, as shown on the Landscape Masterplan, require the existing land levels to be extensively re-modelled. 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

### Landscaping

6.30 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.

6.31 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.

6.32 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.

6.33 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.

6.34 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

6.35 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.

- 6.36 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, the proposal would reduce the frequency of the existing flooding problem.
- 6.37 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

- 6.38 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);
  - rugby pitch (124m x 78m);
  - two large football pitches (106m x 59m);
  - one small football pitch (73m x 46m); and
  - cricket and rounders pitches in the north east corner of the site.
- 6.39 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.
- 6.40 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

- 6.41 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; and
- 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; and
- separate access for deliveries

#### Access strategy

6.42 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 street;
- minimises residential impacts on Common Lane and Batford;
- avoids additional vehicle movements at Common Lane junction;
- provides a direct access for buses; and
- 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

<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

- 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.

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; 80 – Floodlighting; 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 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

#### 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 emerging local plan or the 2016 Strategic Local Plan.
- 7.17 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:

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

- 4. Promoting sustainable transport (Paragraphs 29, 32, 34, 35)
- 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)

## **8. Statutory consultee responses**

*The full statutory responses are recorded in Appendix 7*

### St Albans City and District Council:

- 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 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 maker 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 Warrington 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 detriment 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 conditions. 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.
- The phased occupation of the school, will allow the on site management of both cars and bus drop-off/pick up can be reviewed by the school on an annual basis as part of the Travel Plan monitoring process;
- The operation of the junctions with the Lower Luton Road has been modelled and although it is noted that any queues at the site exit are predicted they will be contained within the site. In addition, the capacity of the right turn movement into the entrance is considered acceptable to accommodate right turning vehicle, leaving the Lower Luton Road westbound carriageway largely unobstructed

#### Recommended 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 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 (13 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 was extended by 21 days; a further press notice was placed in the St Albans and Harpenden Review and Herts Advertiser, and replacement site notices erected at the site; the additional information published on [Hertsdirect.org](http://Hertsdirect.org).
- 8.28 Additional information relating to highways, archaeology drainage issues was submitted 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 details of the proposed drainage strategy were submitted in January 2017. The additional information was published on 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:

#### Education Need

- Hertfordshire County Council is accepting the figures from its own Schools Planning Department as the principle source of information. Forecasts 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 than previous publications by HCC;
- The Priority area for Harpenden (which is used to guide the allocation process) covers both the Harpenden EPA and St Albans EPA; the application considers the Harpenden EPA in isolation and is therefore very misleading;
- There are significant variations in the forecast information provided by HCC as part of the planning application; in practice HCC has amended the forecasts to suit its needs for 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;
- The need for additional places is unproven;
- HCC has “adjusted” earlier forecasts in order to generate the necessary number of children;
- The forecast data is predicting falling numbers of primary school children within Harpenden, in just a few years a new school will not be required;
- The peak demand is forecast within the next 8 years, it then decreases to close to current levels, demonstrating the need is short term and there is no significant demand in the medium-long term;
- The case for justifying a school at the site has not been clearly made.
- There is no local need when other schools are taken into account;
- The support for a fourth school appears to be of greater importance (to some) 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 based on the standard yield arising from new housing;
- It is not sustainable planning to create additional school places when the location of new housing is unknown;

- There is no indication of where in the area the majority of school age children live;
- the HCC forecast has been “adjusted” to generate the number of children.

### Green Belt

- Common Lane forms a strong Green Belt boundary;
- Development of the site would result in coalescence between Valley Rise and Wheathampstead and blur the boundary of the Green Belt;
- Development of the site will cause significant encroachment to the countryside by 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 would harm openness;
- Development of the site will result in encroachment into the Green Belt
- The chosen site layout may cause the least harm to the Green Belt of the potential layout options), however the harm is still significant;
- The amount of earthworks conflicts with the purposes of the Green Belt and is not sustainable development
- The case for very special circumstances is based on an unproven need and is very unconvincing;

### 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. In contrast, there are no secondary schools in the south of the town;
- The Pipers Lane site 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 has weak correlation with the technical reports. HCC officers or independent consultants should analyse the technical reports; The Comparative Site Assessment document should not be relied on to justify the application;
- Other sites would result in less environmental impact;
- The former Wheathampstead Secondary School site is better located to serve the area of need;
- Site F is the wrong location to meet the need
- Site F site is the most visually conspicuous of all the potential sites in the Green Belt.

### Highways

### Road capacity

- The road is one of the busiest B roads in the County The road is already over capacity
- The additional traffic will cause further congestion which will have negative wider economic impact;
- The road is blocked with traffic when the M25 or A414 is blocked
- The proposed expansion of Luton Airport and the planned new school development on Gypsy Lane on the Batford/Harpenden side of Luton will hugely increase traffic using the road;
- Common Lane is already a busy road used by parents driving children to Sauncey Wood Primary School and Batford Nursery;

#### Site access

- The proposed junctions are close to an already dangerous junction at Common Lane where there are frequent accidents
- The steepness of the road will cause westbound drivers to be unaware of the entrance until it is too late to stop;
- The visibility splays on Common Lane are insufficient due to the high hedgerow

#### Junction impact / proposed improvements

- The proposal involves the removal of the recently introduced safety measures such as the roundabout at the Common Lane junction and changing the Station Road junction from a signal controlled crossing to a zebra crossing;
- No safety measures are proposed for the section of the LLR between the site and Wheathampstead;
- The mini roundabout at Common Lane was introduced as a safety improvement, however it is still dangerous;

#### Road Safety

- It is not safe to build a new secondary school next to a busy road as it will increase the risk of cars and pedestrians coming into collision;
- 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 access on the Lower Luton Road are inadequate and in an accident waiting to happen;
- 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;
- The school will lead to on-street parking on the surrounding road network

#### 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 site is in the wrong location, the majority of pupils 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 travelling to the new school would have the longest, most time consuming and expensive journey to school compared with the other schools;
- The traffic surveys were undertaken during the school holidays, and do not represent normal road conditions.

#### Historic Environment

- The archaeological significance of the site is being ignored and could 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

#### 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;
- The proposed development will cause flooding at the Common Lane junction

#### Landscape

- The terracing and substantial buildings will be highly visible and change the outlook for a significant proportion of Harpenden;
- The proposed land raising across significant areas will make the site even more visual prominent;

- The cut and fill operation will result in levels increasing by up to 6m in places, this will introduce an imbalance to the Lea Valley and a blot on the landscape

#### Amenity

- The building (design, bulk, massing, detailing and materials), is 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 detriment upon the privacy, light and quality of life of residents of Common Lane, Millford Hill and Tallents Crescent;

#### Loss of agricultural land

- The proposal would result in the loss of farmland and an agricultural business;
- The land has been referred to as low grade agriculture; the land is high grade agricultural land;
- The land has been used for cattle grazing for decades and sustained a viable farm tenancy for decades.

#### Design and appearance

- The external materials of the building are unsympathetic in the Lea Valley;
- The development is a poor standard of design;
- The poor standard of design and appearance of buildings adversely affects visual amenity.

#### 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 is likely to want floodlighting in the future which would harm the Green Belt

#### Consultation process

- There has been inadequate time to review the volume of documents;
- The proposal is presented as a done deal
- No meaningful consultation has taken place with local residents;
- The documents have not been put on the website in a timely way, insufficient time has been provided for the consultation

#### 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

#### 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 suggesting there will be significant bias - 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 is purchased the site in August 2017 before the planning application was submitted in September;
- 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 in future years due to established demographic patterns;
- A new school is essential to provide additional 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 is ideal;
- the proposal is supported by the 3 existing Harpenden local schools;
- 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 have grown 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 is the most suitable in terms of location and access;
- There should be another Secondary School in Harpenden to accommodate the growing number of children already in Primary schools in this area;
- The site is suitable for a secondary school, 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;
- A 4th school in Harpenden is essential; there is a wide understanding of the need for a new school;
- the need for additional places is very urgent;
- There is a high level of local support for a new school;
- The new school is needed for children living in the Southdown area, to give them a chance of attending a school in Harpenden;
- A 4th 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 4th school in Harpenden is essential in an area where there is a squeeze on school places,
- there is strong management team in place to develop the new school;
- A 4th 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 additional places in Harpenden, currently 90 children have been accommodated at Redbourn in a bulge year;
- The consultation events were well publicised;
- A 4th school in Harpenden is essential for the wider community including outlying villages.
- A 4th school is absolutely vital for Harpenden; the three existing schools cannot keep increasing their student intake each year to accommodate the rise in pupil numbers;
- There is continued growth in housing for Harpenden;
- The existing secondary schools are fantastic but are already full; this new school is absolutely necessary for the town.
- Local children deserve an education, and deserve to go to a school near where they live;
- The only understandable argument relates to additional traffic, however by providing additional bus services can help reduce additional car journeys.

#### Right School Right Place

- 8.33 Right School Right Place (RSRP) 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 to establish a new secondary school.

- 8.34 As part of the consultation, RSRP has written a series of letters, dated 09, 18, 26, 27 October, 2, 6, 16, 30 November, 8 December, 20 December, 21 December, 09 and 23 January 2018 which raises concerns regarding alleged procedural irregularities, inaccuracy of certificates and planning application documents, inadequate time available to consider the information. The letters also raise a series of planning objections. The letters are provided as an Appendix 13 to the report. A summary of the comments is set out 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; other values are presented in 15 minute intervals. This is potentially misleading and/or inaccurate; there is an illegible chart in appendix B;
- Transport Assessment Appendices (3, 4, 5, 6, 7, 8, 22, 23, 24, 25, 26, and 27) were all missing from the original consultation;
- A number of documents are labelled draft indicating the contents may be subject to change without further consultation;;
- The Statement of Community Involvement (SCI) appendices wrongly claim HCC were the land owner at the time of the exhibition in July

2017. The SCI refers to the Education and Skills Funding Agency as the applicant. The application forms clearly state it is joint application by HCC and the EFSA;

- The scales on some of the graphs do not match, creating an impression that the level of support is greater than the level of opposition

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

- RSRP strongly objects to the proposals;
- The Planning Application includes a substantial number of documents, which on review revealed a significant number of errors and omissions.
- Additional time is needed 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) close to the end of consultation meaning there was insufficient time to review the information;
- 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. The education need letter contains significant new information but was not uploaded to the website until 10 November i.e. less than 21 days prior to the consultation closing date;
- People would have to regularly check for new documents published on the website; this is not a fair way of notifying people of new information

#### 08 December

- Inadequate information has been provided. This is prejudicial to a fair assessment of the application. The main 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) refers to the Educational Needs Statement, however, the ENS was not available at the time the viability work was awarded; given the considerable reliance 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 2016/17;
- 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 the cohort of pupils attending Sandringham School originating from within the Harpenden EPA; 'high priority' allocations (including non-geographical up to 'Siblings') were added back;

- the modelling assumptions effectively removed any Wheathampstead children who qualify 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 2016/2017 the 'Meeting the Rising Demand' reports have been removed from HCC website, no replacements have been 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). 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;
- 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 has accepted pupils from within a 4.3 km range in the category of nearest school in Priority Area, which corresponds with the area South East of Wheathampstead village. Sandringham as nearest school in Priority Area, and for prospective pupils living in the Sandringham 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. The 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; 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 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 acknowledges that 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;
- 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

24 January 2018

Statement of Community Involvement (SCI) and public exhibition:

- The publication of the SCI appendices as part of the application, two months late, does not allow sufficient time for full consideration;
- the SCI leaflet fails to identify the site;
- the list of stakeholders is far from inclusive e.g. no established community group are considered to be stakeholders;
- a number of appendices are not referenced in the text;
- the leaflet distribution list does not match the catchment of the school, specifically the high priority catchment area was excluded from the leaflet distribution;
- the feedback form identifies the application needs to demonstrate very special circumstances without giving information on what the very special circumstances are;
- the comments drawn from the exhibition are not fully explored in the analysis;
- the exhibitions were held before the plans were sufficiently developed; making it impossible to comment; there is insufficient information to make a judgment on the proposals;
- the volume of information in the planning application make it impossible for people to find whether their comments have been adequately addressed;
- The SCI states the EFSA has pursued individual meetings with residents and stakeholders; however, RSRP representing a substantial number of local residents, is not aware of any such meetings;
- attention is drawn to a SCI submitted for the development of secondary school in Bishops Stortford (2014) which clearly identifies the purpose and how to respond;

Parking:

- St Albans has expressed concern over lack of parking, this is not addressed;
- the application fails to deal adequately with traffic and congestion;
- the application should be refused until these matters have been fully addressed;

Flood Risk:



- The flood risk assessment does not provide detail on the long term viability of the drainage channel;
- the flood management strategy proposes to direct flood along the west side of the site adjacent to the retained land;
- the proposals could increase the risk of flooding of the adjoining land;

#### Landscape and visual:

- The viewpoints in the LVIA are insufficient; the material lacks a basis for the LVIA to be considered;
- The LVIA uses highly selective viewpoints and misrepresents the impact on other viewpoints from the wider area;
- The impact of the sports hall on the Batford estate have been ignored;
- The appearance of the sports hall is bland and monotonous;
- The large sports hall building could cause overshadowing of neighbouring properties; a number of properties on Tallents Avenue could be overshadowed which could exist for 45-60 minutes each day, longer at certain times of the year; leading to a loss of sunlight and outlook;
- The LVIA should incorporate an assessment of the loss of light and visual impact; The proposals rely on the retention of boundary planting, this land is outside the application site and this protection cannot be delivered in practice;

#### Residential Amenity:

- The shortage of on-site parking and proposals for controlled street parking will incur cost local residents;
- the traffic measures fail to address the impact on residential roads – Castle Road, Crabtree Lane, Batford Estate and surrounding roads , Lower Luton Road – all of which are likely to experience high volumes of traffic;
- Proposals to control student parking are unenforceable;
- There are no proposals to minimise the impact on residential roads in the first phase of the construction and the adverse effects on Common Lane;
- Imposing controlled parking on adjoining streets will push the problem onto other streets;
- The residential amenity aspects of the application are woefully inadequate – noise impact assessment is virtually non-existent; the matters of residential amenity are sufficient to warrant refusal of the application;
- If while noting these points, should the LPA decide to grant planning permission, conditions should be included to:
  - ensure compliance with construction schedules
  - require a plan by submitted to the LPA to control access during the first phase of construction and operation of the pupil drop off ;
  - require the operator to comply with the operational conditions being applied for in the application;
  - prevent the Trust from closing any of its other school sites;
  - limit vehicular access on Common Lane to service deliveries only

#### Archaeology:

- Two proposals for the protection of the archaeology have been declined by the County Archaeologist. If the applicant is unwilling to make an agreement at this stage it raises concern whether they would comply with a condition;
- Nearly 50% of the 80 trenches contained archaeology – much of which is rare and important, and further work will be required to investigate and protect areas outside of trenched areas. None of this information was available at the time of the exhibition.

#### Summary

There are still significant omissions in the evidence presented and conflicts between documents and evidence presented. The additional information presented fails to address most of these concerns in a satisfactory manner. The remaining concerns are of sufficient scale that the LPA has no option but to refuse the planning application as it is currently submitted.

Right School Right Place submitted a petition to the Education, Libraries & Localism Cabinet Panel of Hertfordshire County Council on 12 December 2017. The Panel considered the petition which attracted 279 signatures via the Hertfordshire.gov.uk website. The petition requested that the Panel:

“Reconsider the decision to build a new Harpenden School on the Site East of Common Lane.

We the undersigned, as residents of the Harpenden School Planning Area, petition Hertfordshire County Council (HCC), in conjunction with Education Funding Agency (EFA), to rerun the site evaluation and selection process, including scoring that led to the Site East of Common Lane (Site F) being chosen as a potential new school site, before any further work is carried out on the Harpenden School project due to significant changes in the factors considered in the previous exercise.

In the original scoring used to justify site selection no account was taken of the following (in no particular order):

- 1) Site F's owners ambitions to develop part of the site for housing, and the consequent effects on school building;
- 2) The ambition of South Beds to develop housing on the Harpenden Northern border.
- 3) The rising levels of traffic caused by housing development on the Lower Luton Rd and North Harpenden and the continuing expansion of Luton Airport.
- 4) Two separate Archaeological investigations by the University of Bristol on only one corner of the site using Magnetometry and Ground Penetrating Radar have revealed a significant variety of constructions on the site which merit a thorough investigation of the entire site,
- 5) The original decision (as stated in minutes of HCC Cabinet meeting 23 September 2013) was based on a permanent increase in demand of 5

Forms of Entry over current school place provision, while the latest HCC forecasts, produced just 3 years later, show a fall to a demand for 0 Forms of Entry by the end of the forecast period, i.e. no shortfall. We believe this evidence that was not available at the time the search and evaluation processes were undertaken and has a material bearing on the nature and location of an appropriate site for needs of the area.

As this evidence was not available at the time the search and evaluation processes were undertaken and has a material bearing on the nature and potential location of an appropriate site for the needs of the area.

Any one of the above is enough to mean the circumstances for releasing this site from green belt cannot be justified.”

The Panel Minutes records that the petition was received and Members were presented with and considered an officer report in relation to a request to reconsider the decision to build a new Harpenden School on the Site East of Common Lane. Members noted that the site at East of Common Lane was identified from a number of options. The original site selection process had been refreshed and confirmed by the Education, Skills Funding Agency which was developing the school. Members were informed that in order for a school to be built on this site, [very] special circumstances for development in the Green Belt would need to be demonstrated

Members were informed that a town planning application had been made and the need for a new school would be considered as part of that planning process. It was also noted that the planning application was subject to a full consultation by the planning authority and anyone could make a representation. Members sought clarification that there was no alternative site for the school to be built and this site did offer the least harm to the Green Belt.

Following Member discussion there was a sense from the Panel that any site would present challenges and would attract opponents and asked that their concerns in relation to the comparative site assessment and the South Beds ambitions to develop housing on the Harpenden Northern Boarder be referred to the spatial planning team to ensure these are reviewed when determining planning permission.

The Panel were informed the application would be a joint application between the Education, Skills and Funding Agency and the County Council.

The Chairman proposed an alternative recommendation, as detailed below; this was duly seconded by the Vice Chairman and unanimously agreed by the Panel. *‘This Panel request that our deliberations and comments are delivered to the spatial planning team so this may inform the Development Control Committee accordingly’*

### **Procedural matters**

The Applicant submitted ownership Certificate A with the original application. The land was owned by a third party less than 21 days before the application submitted. Therefore, Certificate B should also have been submitted, and notice served upon the former landowner of the intention to submit an application not less than 21 days prior to the application being submitted. This was an error. The Applicant subsequently served notice on the former landowner and submitted Certificate B. The former landowner was notified of the planning application in October 2017 and given 21 days to comment.

The applicant served notice on the former landowner and Certificate B was submitted. The former landowner was notified of the planning application. The procedural error has been redressed and no third party has been prejudiced matter. There is no requirement to withdraw the application.

In relation to criticism that consultation documents were published late, giving insufficient opportunity to comment, a few documents were not uploaded at the start of the first period of consultation, however, the full suite of documents has been publically available on Hertsdirect.org for more than 21 days. The consultation process has fulfilled the requirements under the Development Management Procedure Order 2015.

## **9. Planning Issues**

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

- Educational need
- Alternative options for meeting the need
- Protection of the Green Belt
- Sustainable transport and highways
- 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 Council's 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 that 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 that the County Council has no power to require Academy schools to provide additional places.
- 9.4 The County Council fulfils its planning responsibilities by forecasting the demand for school places with the aim of ensuring that 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 Education Planning Area (EPA) in Hertfordshire. The document is updated annually 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 area around Harpenden and the surrounding area, including the following settlements.

- Harpenden, Wheathampstead, Redbourn (St Albans District);
- Flamstead and Markyate (Dacorum Borough); and
- Blackmore End, The Kimptons, Whitwell, Breachwood Green and the Waldens (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 adjusted to 170 places (plus 10 boarding places). In 2014, Roundwood Park and Sir John Lawes School increased their PAN to 6.53FE under an agreement with Hertfordshire County Council.

9.10 In 2009 the 'Meeting the rising demand for school places' document regarded these expansions 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'.

#### Forecasting demand to 2017/18

9.11 The County Council uses a forecasting system to predict the numbers of all school places available in each EPA in the County. The forecast system is established as one of the main tools used to predict the numbers of available primary and secondary places. 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 within 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

9.12 Other indicators of longer term demand are:

- 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: showing an upward trend for the last 40 years;
- Housing growth projections in St Albans and Dacorum Local Plans.

#### Meeting the need for places

- 9.13 The immediate demand for additional primary places in Harpenden EPA has been met through the provision of 120 additional places at three Harpenden primary schools in 2014 (High Beeches, The Grove and The Lea Primary Schools).
- 9.14 Between 2010 and 2014, the demand for secondary places increased due to the numbers 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. The high levels of demand are partly a result of the numbers of children from Harpenden needing to be given places in other areas.
- 9.15 The education needs assessment explains the background to the level of demand for secondary places in the Harpenden EPA to 2027/28:
- the numbers of children in Harpenden primary schools who will require a secondary place has grown significantly in recent years;
  - Over the next 5 years, the numbers of children attending Harpenden primary exceeds the number of places available at Harpenden secondary schools by an average of 6FE;
  - children from Harpenden have been accommodated at schools in the surrounding area, particularly in St Albans in recent years;
  - Accommodating Harpenden children at St Albans schools is not sustainable beyond 2018 due to:
    - the increase in demand for places in St Albans,
    - the temporary nature of the contingency arrangements; and
    - the limited accessibility of St Albans schools for Harpenden families
- 9.16 The demand model has been adjusted to provide a more representative result that takes into account the numbers of children attending school in St Albans.

Table 1: forecast demand for secondary school places in the Harpenden EPA up to 2027/28											
HARPENDEN	PAN 2017	FORECAST									
		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
<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 adjusted forecast in the Table 1 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' Source: education needs assessment											

- 9.17 Harpenden is the area with the greatest increase in primary numbers and remains significantly higher than any other settlement within the Harpenden EPA, although the levels of demand have dipped recently compared with peak levels of demand

#### Evaluation of education need

- 9.18 The education needs assessment sets out the background to the rising demand for primary school places in the Harpenden in recent years. In 2014, additional primary places were provided at three Harpenden primary schools in order to meet the rising demand.
- 9.19 For secondary places, the demand model shows a deficit of 131 places in September 2018, rising in consecutive years to a peak of 201 (6.7FE) places by September 2022. This level of demand takes into account the numbers of Harpenden children who are currently attending St Albans schools under contingency arrangements.
- 9.20 The County Council uses a demand model to forecast the numbers of secondary places required for a 10 year period. The model takes into account numbers of primary school children within the area, the numbers of school age children likely to move into the area, cross boundary flows, and the numbers of additional school age children arising from new housing developments in the area.
- 9.21 The education needs assessment has demonstrated that there is a high level of unmet demand in the system, quantified that level of demand, and considered the availability of places within existing schools. It is clear that there are insufficient places available within the Harpenden EPA, the additional places are urgently needed, and the level of demand is sustained for a 10 year period at least.
- 9.22 In recent years some Harpenden children have been accommodated at St Albans schools because of the shortfall of secondary places within



the Harpenden EPA. This situation is regarded as unsustainable in the long term due to the increase in demand for places within the St Albans EPA, the temporary nature of the arrangements, and St Albans schools being accessible to children from Harpenden. The forecast model has been adjusted to account for the numbers of Harpenden children attending St Albans secondary schools.

- 9.23 The short term options for meeting rising demand have included increasing capacity at existing schools as a contingency on a temporary basis, providing additional places within an adjoining EPA on a temporary basis. The sustained level of demand has prompted the schools planning team to consider the options for to expanding capacity at existing schools through permanent extensions, and/or, constructing new schools where the level of demand justifies it.
- 9.24 Furthermore, the unmet demand is sustained for the next 10 years at a level that cannot be met by the number of places available at the existing schools. The longer term projections are for continued growth in demand for school places based on ONS projections, and increases in the numbers of new homes built in the district, which is likely to maintain the upward trend in demand for places. While the demand for primary places has dropped from its peak, the levels remain higher than in 2009.

#### Consultation responses

- 9.25 A number of consultation responses have questioned the need for a new school. The main arguments are:
- Harpenden has sufficient places for Harpenden children; 60% of available places are given to children living in Harpenden; the remaining 40% of places are allocated to pupils living outside of the town in the surrounding areas; and
  - the size of developments likely to be coming forward in Redbourn and Hemel Hempstead in the foreseeable future will require new secondary schools which will reduce the demand within Harpenden EPA;
- 9.26 Some of the responses criticise the ability of the forecasting system to accurately predict the actual numbers of places required, noting:
- the system failed to accurately predict the actual deficit in places in the Harpenden EPA in 2006;
  - HCC is using a new forecast system which is still bedding and cannot be relied upon to yield accurate data
  - the new system is being used without having formal authorisation;
  - data has been 'adjusted' simply to support the case for a new school,
- 9.27 In relation to criticism of the forecasting system, the demand model is an established tool used to forecast the demand for school places in

areas across Hertfordshire, and the data is used to support planning applications and HCC submissions to Local Plans. The forecasting system has helped to ensure that the County Council has always been able to provide the numbers of places required in each EPA.

- 9.28 The published Government guidance<sup>6</sup> for the use of forecast models states: 'Forecasts are necessary so that school place planners have up to date information on the overall capacity required within the school systems in the area, and so that authorities can take strategic decisions about how many places are likely to be needed (where, when and for how long). Effective school place planning is a fundamental element of the local authority's role as strategic commissioner of good school places underpinned by strong use of relevant data from a wide variety of sources'.
- 9.29 The use of a forecast system for long term place planning has helped the County Council to secure the right numbers of places in the areas where they are needed. The forecast system provides an early indication of the demand arising in an area and allows the time needed to plan and deliver options to meet the rising demand.
- 9.30 The deficit of places forecast by the model for the next 10 years, until at least 2028, is considered to be a robust basis to assess the need for additional places. In the absence of any evidence to demonstrate that the current system is not working, or evidence provided from an alternative system producing comparable data over a similar time frame, the current system is regarded as the best available tool to predict the likely demand arising within the Harpenden EPA for the 10 year period ahead and provides useful evidence to assess the need for a new school
- 9.31 With regards to adjustments to the model to account for specific circumstances, it is reasonable for any forecasting system to retain a degree of flexibility to adjust to particular circumstances, including accounting for Harpenden children to St Albans schools. It is evident that the model must account for places otherwise or the actual number of children requiring a place in Harpenden would be underestimated.
- 9.32 With regards to the suggestion that the current number of places at Harpenden schools provides adequate places for children from Harpenden, this does not reflect the role of the Harpenden EPA as serving the wider area, which extends to the east and west of Harpenden, including other smaller towns and villages located within the administrative areas of St Albans, North Herts and Dacorum.
- 9.33 In terms of how the forecast deficit in places is being met within the Harpenden EPA, viability assessments were carried out in 2011, which identified the maximum additional capacity which could be delivered at

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<sup>6</sup> School capacity (SCAT) survey 2014: Education Funding Agency

St Georges is 0.6FE with an additional 2FE at the Sir John Lawes School combined, giving a total of 2.6FE. However, it is recognised that even if this level of additional capacity could be provided at these schools, it would still fall short of the required number of places. A further constraint is that the schools have indicated that they would not be willing to expand on a permanent basis. Therefore the option to expand the schools would provide insufficient capacity and could not be delivered.

- 9.34 The arguments against a new school at the site include criticism that the County Council has not considered the option to build a 4-6FE secondary school, which it is argued, would provide sufficient additional places to meet demand, and moreover, may not require a site in the Green Belt. The County Council has stated its preference for new secondary schools of between 6 and 10FE for educational reasons related to the extended opportunities which schools of this size can provide for students and economies of scale.
- 9.35 It has also been suggested that the provision of education at the three existing schools could be re-organised, for example, by providing all of the 6<sup>th</sup> form provision at one site could free up space for younger children at the other two sites. However, this option would be unlikely to deliver the required additional capacity, given the limited expansion potential of the existing sites evidenced in the viability assessments, and in any event would involve a significant level of disruption to the three schools.
- 9.36 In summary on the need for additional secondary places and the use of the forecasting model:
- The numbers of primary pupils in Harpenden schools requiring a place at secondary school demonstrates there is an urgent need for additional places in the Harpenden EPA;
  - The education needs assessment has demonstrated that the level of demand within the Harpenden EPA is sustained for a period of 10 years;
  - In forecasting the level of demand, the County Council has considered relevant information, including the numbers of pupils already attending primary schools and the demand generated by housing development;
  - The forecasting demand model is considered to be a reliable method of assessing the long term need for places, is supported by Government guidance, and provides evidence to support provision of additional places;
- 9.37 In summary with regards to the options to expand capacity at existing schools and the choice of Harpenden as the location for a new school:
- The options to expand capacity at existing school sites would not provide sufficient places, evidenced in the viability assessments, to meet the level of deficit of places, evidenced in the forecast model;

- Harpenden is located in the centre of the Harpenden EPA, which it serves, and the three other secondary schools within the EPA are located there;
- Harpenden is identified as in the upper hierarchy of settlements in the district and serves the local community in terms of services, employment, public transport and recreation;
- Harpenden is a hub for sustainable travel, with a choice of buses and trains, cycling and walking.
- Harpenden is an appropriate and sustainable location for a new 6FE secondary school;
- The construction of a new 6FE secondary school in Harpenden is a reasonable option to provide the right numbers of school places within the area of need;

9.38 The County Council has undertaken an extensive search for potential sites for the construction of a new 6FE school within the urban area of Harpenden which is discussed in the next section of the report.

### **Alternative Sites Assessment**

9.39 The options for meeting the demand for additional school places considered options to expand existing school sites, and considered options to develop a new school within the urban areas of Harpenden, Redbourn and Wheathampstead, and considered sites within the Green Belt surrounding Harpenden.

#### Existing secondary school sites

9.40 In 2011 town planning and highway capacity assessments were undertaken for the three existing Harpenden schools to assess the potential of the sites to accommodate additional capacity. The evidence was submitted as part of the review of the St Albans Local Plan.

9.41 The three 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 secondary schools within 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)

#### Search for sites

- 9.42 An initial search for potential locations for a school of 6-8FE was undertaken in 2014. The search included urban land with a minimum area of 2.1ha in Harpenden, Redbourne, and Wheathampstead, and Green Belt sites of a minimum of 12ha surrounding Harpenden. The urban site search produced no suitable sites. The Green Belt site search produced 9 potential sites at the edges of Harpenden. The 9 sites were assessed against a range of environmental criteria: air quality, archaeology, highways (feasibility and access), ecology, flood risk, landscape and visual impact.

- 9.43 A comparative sites assessment of the potential Green Belt sites was undertaken in 2015 comprising a review of:
- the environmental reports;
  - Green Belt impact assessments;
  - Assessment of compliance with planning policy; and
  - Viability assessments
- 9.44 The comparative site assessment was updated in August 2017. The comparative site assessments and supporting assessments have been submitted as part of this application as supporting evidence.

#### Site size

- 9.45 Government guidance for minimum size standards for new school buildings specifies a minimum site area of 2.1ha for urban sites (school buildings only) and between 8.7ha and 10.92ha for non-urban sites (school buildings and playing fields).
- 9.46 The 2015 site search considered sites of 12ha and above to allow for abnormalities and changes in site characteristics. The updated site search reports (2017) identify the County Council and the EFSA are committed a minimum site of 12ha, although a smaller or larger site area may be suitable to accommodate a 6FE secondary school depending on site characteristics.
- 9.47 The 2015 site search considered –
- 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
- 9.48 The site search for urban sites of a minimum 2.1ha included:
- 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
- 9.49 The criteria were also used as part of the 2017 site search report.
- 9.50 The mapping exercise eliminates all areas of land considered unsuitable for the development of a 6FE secondary school. The

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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.

remaining parcels are identified using natural and man-made boundaries.

#### Wheathampstead

- 9.51 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
- 9.52 The 2017 site search report identified 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

- 9.53 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
- 9.54 The 2017 site search report identified 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.

#### Green Belt site search

- 9.55 Green belt sites surrounding Harpenden were regarded as preferable to Green Belt sites surrounding Wheathampstead and 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.
- 9.56 The Green Belt site search mapped constraints around the boundary of Harpenden boundary to account for: 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. Woodland areas, golf courses; and flood zones 2 and 3 were excluded from further consideration reflecting the level of constraint although sites in these categories might need to be considered if no other site could be identified. The site search considered existing playing fields which might be available for dual use should a suitable school site be identified within the urban area. The potential sites for a new school (with playing fields) are shown on Plan 5204/001 (Appendix 10).
- 9.57 The initial site search in 2011 identified 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
- 9.58 The list was reduced to 9 sites; Site B: Land north of Ambrose Lane, Harpenden was rejected because of highway constraints. The highway appraisal (2014) identified it would be unlikely to provide a safe and suitable highway access. Sites I and J were amalgamated as a result of further viability and site appraisal work undertaken in 2014. The potential sites are shown on drawing 4812 004: Existing secondary schools and potential school sites, appended to this report (Appendix 11).



## Site evaluation process

9.59 The 2015 comparative site assessment considered each of the 9 potential sites using a five stage methodology, which included:

- a range of technical and environmental investigations
- an assessment of the environmental effects of a secondary school development
- an assessment of the Green Belt effects of a secondary school development
- 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
- an assessment of deliverability - in respect of acquisition and development viability.

9.60 The sites were ranked in terms of their:

- environmental effects;
- effects upon the purposes of the Green Belt;
- level of policy compliance;
- site viability

9.61 Table 2 provides a summary of environmental effects for the proposed development of a 6-8FE school at the application site; showing how the site ranked against all other sites.

Table 2: Environmental effects: Application site (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 (E, G, I/J)	A, C, D	H, K
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	A, C, D, G, H, K	NONE

	(E, I/J)		
Pedestrian / Cycle	= 3 (A, C, I/J, K)	D, G, H	E
Public Transport	=1 (A, D, E)	NONE	C, G, H, I/J
Note: 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)			

9.62 Table 3 shows the effects of each site on the 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 identified: <b>large adverse</b> effects in terms of <ul style="list-style-type: none"> <li>• safeguarding the countryside from encroachment - Sites C and E</li> <li>• preserving the setting and special character of towns - Site K</li> </ul> <b>moderate adverse</b> effects in terms of <ul style="list-style-type: none"> <li>• preventing neighbouring towns from merging - Sites H, I/J and K;</li> <li>• safeguarding the countryside from encroachment - Sites D, G H, I/J and K;</li> <li>• protecting the setting and special character of towns - Site I/J; and,</li> <li>• maintaining the existing settlement pattern - F and G</li> </ul> <b>no adverse</b> effects in terms of <ul style="list-style-type: none"> <li>• checking the unrestricted sprawl of large urban areas - for any of the sites</li> </ul>		

9.63 The comparative site assessment 2015 included a town planning appraisal of the likelihood of obtaining planning permission for a 6-8FE school at each of the 9 sites. The assessment considered the planning and highway constraints, environmental effects, and effects upon the purposes of the Green Belt. The comparative site assessment produced a shortlist of 3 sites, as shown in Table 4.

Table 4: Appraisal of sites for likelihood of obtaining planning permission	
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

- 9.64 In 2015, following the planning and highway appraisals, the three shortlisted sites (Site A; Site D; Site F) were assessed 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 each site ranked in terms of acquisition and construction considerations.

Table 5: ranking of sites – 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

- 9.65 In 2017, Lambert Smith Hampton reported on the viability and deliverability of each of the three sites. A summary of the report is set out 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, and therefore much greater certainty regarding the cost to acquire Site F than the other two sites.

The viability report ranked the sites:

- Site F - most favourable site
- Site D - second most favourable site
- Site A - least favourable site

- 9.66 The County Council subsequently agreed terms for the purchase of Site F making a new school deliverable at Site F where there must be significantly greater doubt that Site D could be acquired at a viable cost within the required timeframe.

### Evaluation

- 9.67 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.
- 9.68 The urban site search process identified no available sites of a minimum 2.1ha for a secondary school within the urban area of Harpenden, and no realistic alternative has emerged during the consultation process. The site search applies a high level of rigour 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.
- 9.69 The search for non-urban sites focussed in the Green Belt surrounding Harpenden. Harpenden has more primary school children than any other area within the Harpenden EPA and is regarded as the most sustainable location for a new school due to being in the upper tier of settlements providing access to a range of services and sustainable travel choices. This option would also enable the highest numbers of primary children attending Harpenden schools to move to a secondary school in Harpenden and thereby reduce the level of disruption for families. The choice of Harpenden for a new secondary school, above Redbourn and Wheathampstead, is regarded as a sustainable location in school planning, sustainable travel, and town planning terms.
- 9.70 The 9 potential Green Belt sites surrounding Harpenden were assessed against a wide range of environmental constraints, the purpose of the Green Belt, planning policy, and highway and viability assessments, to produce a rank for each site for each criteria. The town planning assessment produced a shortlist of three sites which were then assessed in terms of viability and deliverability.
- 9.71 The town planning appraisal identified Site A: Land east of Luton Road, as the site with the least number of adverse environmental impacts, and the site that would have less adverse impact to the purposes of the Green Belt.
- 9.72 The viability assessment identified the cost of acquiring Site A, due to its identification as a potential housing site in the previous St Albans Strategic Local Plan, have made the site undeliverable as a school site due to the hope value the site has obtained. Site D was identified in the strategic Green Belt review as a potential site to be released from the Green Belt. This is likely to make the site harder to acquire at a realistic value. The site is also in multiple ownership and negotiations would be likely to take longer and be more difficult to conclude. The County Council might need to complete a Compulsory Purchase Order, which could be contested. The site is likely to be harder to deliver within the required timescales.
- 9.73 In summary, the site search process has included -

- viability assessments of the 3 existing school sites, identifying there is insufficient capacity to meet the level of demand
- comprehensive site searches of urban sites in Harpenden, Redbourn and Wheathampstead, including commercially available sites and sites owned by the County Council, identifying no sites of the requirement size (2.1ha);
- comprehensive site searches for non-urban sites surrounding Harpenden, identifying 9 potential sites of the required size (12ha to include playing fields);
- environmental assessments for the 9 Green Belt sites surrounding Harpenden, identifying Site A: Land east of Luton Road as the site with the least number of adverse environmental effects;
- a Green Belt purposes assessment for the 9 Green Belt sites surrounding Harpenden, identifying Site A as the site having the least adverse Green Belt effects (the application site (Site F) ranked =2 together with Site D: Land east of the Lower Luton Road));
- town planning and highway assessments, which shortlisted 3 sites from the 9 potential Green Belt sites on the edge of Harpenden, where planning permission could be obtained;
- a viability assessment for the three shortlisted sites (Site A, Site D, Site F), identifying Site F as the most deliverable site;

9.74 Having considered the various assessments submitted as part of the application, including existing school capacity, environmental effects, Green Belt purposes, comparative, and viability, it is concluded:

- The sequential approach to site selection to minimise the adverse impacts on the Green Belt has been followed;
- The site search process for urban sites in Harpenden, Redbourn and Wheathampstead using a database of commercially available property and sites owned by the County Council is considered to be a suitably rigorous process.
- The list of environmental criteria used to assess the sites is regarded as comprehensive and appropriate to assess the impact of a new 6FE secondary school at each site.
- The assessment of Green Belt for each site effects specific to each site enables an assessment to be made of the relative harm to the purposes of the Green Belt.
- The process of shortlisting the sites based on the town planning and highway constraints is considered to be reasonable.
- The viability assessment by commercial agents assessing the cost of acquiring the site appear to be based on realistic acquisition costs and has due regard to the complexity of acquiring the site.

9.75 Furthermore, 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 a new school at the site, as demonstrated by the agreement with the

EFSA to fund construction of the school and the main contractor has been appointed.

- 9.76 The comparative site assessment has demonstrated that there are no more suitable sites available in areas excluded from the Green Belt. The education needs assessment has demonstrated that there is an overriding need. The proposal is therefore considered to comply with Policy 65 (B) (iii) of the St Albans Local Plan Review 1994, provided that very special circumstances can be demonstrated.
- 9.77 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 should clearly outweigh the harm to the Green Belt, and any other harm (NPPF: Paragraph 88).

### **Green Belt**

- 9.78 Policy 1 (Metropolitan Green Belt) of the St Albans Local Plan Review 1994 states: Within the Green Belt, except for development in Green Belt settlements, or in very special circumstances, planning permission will not be given for development for purposes other than required for mineral extraction, agriculture, small scale facilities for outdoor sport and recreation, and other purposes appropriate to a rural area. New development within the Green Belt shall integrate with the existing landscape. Siting, design and external appearance are particularly important and additional landscaping will also be required.
- 9.79 Policy 65 (B) (iii) of the St Albans Local Plan states new schools will be permitted within the Metropolitan Green Belt only if very special circumstances have been demonstrated. It must be shown that no suitable location is available in areas excluded from the Green Belt and that there is an overriding need for the proposal to cater primarily for children living within the district.
- 9.80 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).
- 9.81 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.

- 9.82 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).
- 9.83 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)
- 9.84 A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include: 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).
- 9.85 The Green Belt statement (September 2017) submitted with the application sets out the case for special circumstances:
- need for additional secondary places;
  - the lack of a more sequentially preferable alternative location to meet the identified need;
  - the analysis of potential development options, having regard to the purposes of the Green Belt, demonstrates the level of harm would be minimised as a result of careful siting, scale, and massing; and
  - the proposal represent the minimum amount of requirement to minimise the adverse effect on the Green Belt.

#### Extent and Purposes of the Green Belt

- 9.86 The application site is located within the Metropolitan Green Belt which extends across the St Albans district and surrounds Harpenden, Redbourne and Wheathampstead. The extent of the Metropolitan Green Belt surrounding Harpenden and Wheathampstead is shown in Appendix 3.
- 9.87 The Green Belt Review for St Albans, Welwyn Hatfield and Dacorum (in 2013) identifies the site is located within a large parcel of land, which surrounds Harpenden and Wheathampstead, extending to the South Bedfordshire border and the Luton area. The Review regarded the wider land parcel as making a **significant contribution** to three of the purposes of the Green Belt, namely 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)



9.88 The Green Belt Review forming part of the planning application identified the proposed development at the site would not result in any moderate or large adverse effects upon four of the five purposes of the Green Belt:

- 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);

#### Evaluation

9.89 The development of a secondary school within the Green Belt, specifically the school buildings, sports hall, car parks, playing fields and the changes to the topography of the site, represent inappropriate development, which is by definition, harmful to the Green Belt. Substantial weight is given to the inappropriateness of the proposed development.

9.90 The application site has an open character and is largely undeveloped, other than a small group of farm buildings at Batford Farm. The land has been used for grazing for many decades and does not have a degraded or derelict appearance. The land is considered to serve two of the purposes of the Green Belt, namely:

- to prevent neighbouring towns from merging into one another; and
- to assist in safeguarding the countryside from encroachment high

9.91 Common Lane is a strong boundary to the Green Belt. The land between Batford and Valley Rise is regarded as a locally important strategic gap between settlements. The parcel of land between the eastern boundary of the site and Valley Rise is open and undeveloped. The land has been allowed to revert to scrubland and has a poor visual appearance compared with the application site. The land to the south of the application site as far as Piggotshill Way is open grassland adjoining the River Lea, including Batford Springs Local Nature Reserve and Local Wildlife Site.

9.92 The development of land to the east of Common Lane would represent encroachment into the countryside. The school buildings are proposed to be sited near to the edge of the settlement on Common Lane. The adjoining land maintains a gap between Batford and Valley Rise. For these reasons the adverse effect upon the identified purposes of the Green Belt would be limited and a strategic gap between the site and Valley Rise would be maintained. Whilst the proposed development would have limited conflict with the purposes of the Green Belt, substantial weight is given to this harm.

9.93 The development of school buildings (8457sqm) and sports hall (2104sqm) would have an adverse impact on openness. The effect

would be permanent. The essential characteristics of Green Belts are their openness and permanence. Substantial weight is given to the adverse impact on openness as a result of the buildings, car parks, and playing pitches.

- 9.94 The siting and proposed landscaping will limit the adverse visual impact of buildings upon openness. The proposed buildings are two storeys with a maximum height of 9.6m (10.7m for the sports hall). The buildings are set back from the Lower Luton Road by approximately 116m, and 56m from Common Lane. Additional planting is proposed at the front of the site. The removal of a hedgerow and trees from the boundary with Common Lane will open up views of the site. The longest side elevation of the building would be visible from Common Lane. The proposed development will have a negative visual impact upon the openness of the Green Belt. Substantial weight is given to the adverse impact upon openness.
- 9.95 The proposed landscaping, including woodland planting in the north east corner of the site, extensive meadow planting across the northern parts of the site, planting trees within the car park, and the predominant use of dark colour traditional brick for the main elevations, should ensure that the buildings integrate well with the landscape, a requirement for new development in the Green Belt in line with Policy 1 of the St Albans Local Plan Review 1994.
- 9.96 It is concluded that the proposed development would be in conflict with Policy 1 (Metropolitan Green Belt) of the St Albans Local Plan Review 1994 due to the inappropriate nature of the development, the harm to the purpose of the Green Belt in preventing encroachment into the Green Belt, and would harm the openness of the Green Belt. The proposal conflicts with aims of preserving Green Belt Land set out in the NPPF (Paragraphs 79, 80, 87, 88 and 89) for these reasons. In accordance with Paragraph 88 of the NPPF substantial weight is given to any harm to the Green.
- 9.97 The proposed development of a new school could be permitted under Policy 65 (B) (iii) of the St Albans Local Plan Review if very special circumstances have been demonstrated and there are no suitable locations available in areas excluded from the Green Belt.
- 9.98 The Comparative Site Assessments indicates that there are no alternative sites of the required size (2.1ha) available within the urban area of Harpenden, and no more suitable sites within the Green Belt that would result in less harm to the Green Belt, with the exception of Site A: Land East of Luton Road, however, the site is not a viable option for development of a new school.
- 9.99 The Education Needs Assessment presents a case for very special circumstances based on the urgent education need, the lack of any alternative sites of the required size with the urban areas of

Harpenden, Redbourn and Wheathampstead, and the lack of any alternative Green Belt which would result in less harm.

### **Sustainable Transport and Highways**

- 9.100 Policy 34 of the St Albans Local Plan Review 1994 will not normally permit development likely to generate a significant amount of traffic, or which involve the creation of improvement of an access onto the highway, unless the proposal is acceptable in terms of highway considerations: road safety, environmental impact of traffic, road capacity, road hierarchy, and car parking provision. Policy 39 of the St Albans Local Plan Review 1994 applies maximum parking standards for all types of development. Parking proposals must also be acceptable in terms of visual impact, landscaping and amenity of adjoining residents.
- 9.101 The objectives of the NPPF are aimed at balancing the transport system in favour of sustainable transport modes and ensuring that the opportunities for sustainable transport modes have been taken, that safe and suitable access can be achieved for all people, and that improvements can be undertaken within the transport network that cost effectively limit the significant impacts of development.
- 9.102 The Local Transport Plan sets goals to support economic development and planned growth, improve opportunities for all and achieve behaviour changes in travel choice, enhance quality of life, improve safety and security for residents, and reduce the contribution of transport to the greenhouse gas emissions.
- 9.103 The main transport related considerations are the impacts of development upon:
- access
  - junction capacity
  - walking and cycling
  - bus strategy
  - pupil drop off
  - access and circulation
  - on-site parking provision
  - on-street parking; and
  - speed control measures

#### Junction capacity

- 9.104 The main affected junctions are the mini-roundabouts at Common Lane/ Lower Luton Road, and Station Road / Lower Luton Road. The capacity assessment of these junctions confirms they currently operate above normal capacity criteria.

- 9.105 The main source of queuing in the vicinity of the site is the westbound approach to the Station Road junction. By 2025, the Transport Assessment predicts westbound traffic queues at this junction of 979 cars during the AM peak. The model predicts the school development would add 25 cars to the westbound queue. This represents a 2.6% increase in traffic flows.
- 9.106 By 2025, the largest mean queue is 114 cars in the 'Do Nothing' scenario. The proposed Station Road junction improvement scheme to provide an additional left lane on the westbound approach is predicted to reduce the mean queue to 36 cars for the AM peak and 15 cars for the PM peak. With the Station Road junction improvements in place queuing on Lower Luton Road reduces to below a nil impact.
- 9.107 The Transport Assessment proposed a right turn facility at the Common Lane junction, however the Highway Authority prefers the existing arrangement to remain unchanged, subject to the proposed safety improvements being implemented.

#### School catchment

- 9.108 Table 6 shows the numbers of secondary school children attending the school by area, and the relative distances from the school. The largest populations are expected to be drawn from Southdown (2km from the site) and Wheathampstead (between 2 and 5km from the site).

Table 6: school catchment area (Source: Transport Assessment)		
Location of pupils	Number of 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>1,148</b>	<b>100</b>
<b>Distance from school</b>		
Less than 2km	292	(25.4%)
Between 2 and 5 km	442	(38.4%)

Over 5km		(36.2%)
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### Walking and cycling

- 9.109 Walking to school is facilitated by a package of pedestrian improvements schemes, as shown in Appendix 2, including a range of pedestrian crossing improvements across Harpenden, a toucan crossing in front of the school, a controlled crossing (zebra or puffin), pedestrian improvements and street lighting on Piggoshtill Way, and a pedestrian crossing at the Station Road junction.
- 9.110 The package of pedestrian improvements would provide adequate and safe walking and cycling routes to school from within Harpenden. The Highway Authority requires the all of the improvements to be delivered prior to the first year of opening, except for the Station Road improvement scheme, which is not required until 2023.
- 9.111 The opportunities for walking and cycling from Wheathampstead are more limited due to the distance from the school (over 2km) and three pinch points on the section of the Lower Luton Road between the application site and Wheathampstead making it virtually impossible to provide a shared cycleway and footway alongside the road. It is envisaged that children from Wheathampstead will have access to public transport as a result of the additional bus services proposed as part of the bus strategy.
- 9.112 The application proposes an enhanced modal split based on 56% of pupils travelling to school by bus, to promote sustainable travel and reduce congestion from unnecessary car journeys. Table 7 shows a baseline modal split (with no additional bus services in place) and the enhanced modal split (with the additional bus services in place).

Table 7: Baseline vs. Enhanced modal split					
(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

### Additional bus services

- 9.113 The Transport Assessment proposes 2 potential options for delivering the additional bus services. Option A proposes 7 additional bus services. Option B proposes 9 additional bus services. Option A is being promoted, with additional services to Slip End, Markyate, Flamstead, Redbourn Wheathampstead, Kinsbourne Green, Area 6

(Hatching Green), the Southdown area (Grove Avenue, Meadway and Topstreet Way).

- 9.114 The Travel Plan proposes the creation of a bus delivery group in partnership with the Passenger Transport Unit, the school Trust and local bus operators. The additional bus services are proposed to be funded by the Applicants for the first 7 years. The services are anticipated as being commercially viable after 7 years. However, given that the additional bus services are crucial to achieving the enhanced modal split and reducing the number of car journeys associated with the school, the condition states the services must be provided for the lifetime of the school, regardless of whether the services are commercially viable. The Travel Plan provides for a monitoring and evaluation mechanism so that the provision of bus services can be tailored to the level of demand for the services.

Pupil drop off: access and circulation

- 9.115 The operation of the pupil drop off has been designed to cater for 80 drop-off movements between 08.00 and 09.00 AM, and 63 pick-up movements between 3.15 and 4.15PM. The design of the drop off is based on a worst-case scenario.
- 9.116 The Highway Authority notes:
- the capacity of the right turn movement into the entrance provides sufficient capacity for right turning vehicles, leaving Lower Luton Road westbound carriageway largely unobstructed;
  - the modelled operation of the junctions (entrance and exit) with Lower Luton Road predicts any queues will be contained within the site;
  - the internal circulation provide adequate separation for buses and cars;
  - 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 double yellow lines should ensure the drop off area is kept free; and
  - both accesses have passed Stage 1 safety audit.

- 9.117 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. Details of the proposed junction arrangements are shown in Appendix 14.

Parking

- 9.118 The maximum parking standards for the St Albans district (Revised Parking Policy and Standards 2002) are: 1 space per 2 staff, plus 1 space per 15 students. The school capacity is 1,150 pupils. The Transport Assessment assumes the school would employ 95 staff (FTE). Applying the maximum parking standard generates a requirement for 43 staff spaces plus 77 spaces (i.e. 120 spaces in

total). The proposal provides 97 spaces and therefore falls 23 spaces short of the maximum standard.

9.119 The level of provision is compared with other Harpenden Schools:

- Roundwood Park School - 1,260 pupils and 173 staff (124 FTE). 120 parking spaces are provided on-site for staff and visitors. The School Travel Plan (February 2016) indicates 90% of staff currently travel by car. The ratio of parking per staff member is 1 space per 0.69 staff;
- The Sir John Lawes School - 1,222 pupils and 172 staff (138 FTE). 107 parking spaces are provided on-site for staff and visitors. The School Travel Plan (November 2016) indicates 77% of staff currently travel by car. The number of parking spaces per staff member is 1 space per 0.58 staff;
- St George's School - 1,327 pupils and 239 staff (152 FTE). The more recent Travel Plan is dated June 2003. There is no current information on parking provision or staff travel patterns.

9.120 The school may not require the maximum number of parking spaces prior to full occupation. The monitoring and enforcement requirement in the Travel Plan will assess the demand level of parking at the site. The recommended condition requires an independent assessment of the need for additional on-site parking in tandem with the second phase of on-street waiting restrictions, and options to provide the additional parking spaces to meet the maximum standard should be provided should the assessment indicate that they are required. The assessment will require the approval of the local planning authority, in consultation with St Albans District Council.

#### Street Parking

9.121 Waiting restrictions are proposed on the Lower Luton Road between Batford Road and Valley Rise, and on Marquis Road and Crabtree Lane, and at the junctions of Common Lane/ Batford Road and Milford Hill. The scope of proposed waiting restriction area is shown in Appendix 14. The Transport Assessment proposes a second phase of waiting restrictions, the scope of which will need to be assessed with the development in place so that information can be gathered on existing travel patterns.

9.122 The conditions require the Applicant to undertake a study of the need for additional waiting restrictions within a wider vicinity of the site (prior to the fifth year of intake); promote and fund a second phase of waiting restrictions, as approved by the local planning authority, through the Traffic Regulation Order process; and implement the waiting restrictions within 18 months of the Traffic Regulation Order being approved.

#### Speed Control

- 9.123 The Transport Assessment proposes a 30mph speed limit between the Batford to and Valley Rise with the effect of providing a continuous 30mph zone from Wheathampstead to Batford. The preliminary design includes signage, road markings, and coloured surfacing. Street lighting may be required as part of the detailed design. The Highway Authority notes that introduction of a 30mph restriction for this section of road would not comply with the adopted Speed Strategy whereby the 85<sup>th</sup> percentile of vehicles exceed the 30mph limit, however, a 30mph limit is required in order to ensure that the school access operates safely.

### Evaluation

- 9.124 The Transport Assessment has demonstrated that the proposed accesses can operate safely, with an extended 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 impact 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 waiting to turn right during the AM and PM peak, and on that basis, the Highway Authority is satisfied that the free flow of traffic along this section of the Lower Luton Road should be largely unobstructed.
- 9.125 The package of improvements schemes, including a toucan crossing opposite the site, street lighting on Piggotshill Lane, various pedestrian improvements schemes within Harpenden should help to ensure that a high proportion of pupils choose to travel to the school by sustainable travel modes. The enhanced modal split will be delivered through the provision of additional bus services, funded by the Applicants, and secured by condition
- 9.126 The proposals for promoting sustainable travel are considered acceptable to mitigate any significant adverse impacts of the development on the highway network. The Highway Authority is satisfied that the proposed development will not result in significant adverse residual impacts on the highway.
- 9.127 Adequate on-site parking is proposed within the site for the operation of the school in the early phases with provision for additional parking spaces to be provided if required. Waiting restrictions will be implemented in the vicinity of the school before the second year intake (subject to s278 of the Highway Act) and a second phase of waiting restrictions would be implemented prior to the fifth year intake. The proposal is regarded as compliant with Policy 39 of the St Albans Local Plan Review 1994
- 9.128 The access arrangements will provide safe access to the site with regard to site line visibility, turning into the site, and safety for



pedestrians and cyclists. The proposal provides a high standard of access for a new access onto a local distributor road, as required by Policy 34 of the St Albans Local Plan Review 1994.

- 9.129 The proposals are balanced in favour of sustainable transport modes, in accordance with the NPPF (Paragraph 32) and the opportunities for sustainable transport modes have been taken up.
- 9.130 The proposed development would 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 proposal for increasing the proportion of pupils using sustainable transport accords with the aims of the Hertfordshire Local Transport Plan 2011.

### **Drainage**

- 9.131 The proposed drainage strategy provides attenuation for the identified overland flow route on the western side of the site. The overland flow route is largely generated with a wider catchment area primarily located to north of the application site. The application site is located within 100m of the River Lea. Therefore surface water from the wider catchment drains through the site and contributes to flooding on the Lower Luton Road close to the junction with Crabtree Lane.
- 9.132 Policy 4 of the Lead Local Flood Authority (LLFA) SuDS Manual 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. The LLFA accepts 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).
- 9.133 The drainage strategy 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. An independent assessment commissioned by the LLFA for the catchment indicated storage capacity of 3200m<sup>3</sup> would be required for the 1 in 30 year rainfall event. The infiltration basin has been designed to provide a total storage volume of 3250m<sup>3</sup>. The LLFA accepts 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. Details of the overland flow route and drainage strategy are shown in Appendix 15.

- 9.134 The LLFA recognise that infiltration tests that have been carried out to inform the drainage strategy, and note that infiltration rates are likely to be crucial to the overall feasibility of the drainage strategy. 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 the details of the ground water and river levels submitted to ensure that the base of attenuation basin will infiltrate at the required rates. If the required infiltration rates cannot be achieved an alternative strategy will be required.
- 9.135 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 sub-base material, and conveyed via a surface water drainage network to the attenuation basin serving the overland flow.

#### Evaluation

- 9.136 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.
- 9.137 The proposed drainage strategy has demonstrated that it is capable of managing surface water generated within the site up to the 1 in 100 year rainfall event (plus climate change) and provides adequate proposals to manage the overland flow route for the 1 in 30 year rainfall.
- 9.138 The proposal provides 3250m<sup>3</sup> attenuation storage for the overland flow within the site. The LLFA is satisfied that the proposals should reduce surface water run-off from the site and should not lead to flooding affecting adjoining buildings or neighbouring sites.

#### Managing flood risk

- 9.139 The NPPF confirms:
- 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 (Paragraph 100);
  - 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 (Paragraph 101); and

- 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 (Paragraph 102).
- 9.140 The comparative flood risk assessments submitted for the 9 potential sites in the Harpenden Green Belt regarded all sites as being at an equally low risk of flooding (from rivers) due to all of the sites being located within Flood Zone 1. The comparative site assessments did not compare the risk of surface water flooding for each of the 9 sites, mainly because there is no widely available information on surface water flooding at the individual site level.
- 9.141 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
- 9.142 The site specific flood risk assessment submitted with the application demonstrates that the volume of storage provided within the site is sufficient for the 1 in 30 year rainfall (overland flow) and proposals for attenuating surface water generated within the site are sufficient for the 1 in 100 year rainfall event. The SuDS features proposed as part of the drainage strategy demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, will reduce flood risk overall, by providing attenuation storage within the site for the overland flow route.
- 9.143 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. The proposed drainage strategy also meets the standards required in Policy 4 of the Lead Local Flood Authority (LLFA) SuDS Manual.

## **Heritage Assets**

### Archaeology

- 9.144 The archaeological site investigations discovered an unenclosed Saxon cemetery in the north-west corner of the site, an Iron Age enclosure in the northern part of the site, and Neolithic finds in the southern part of the site. The Saxon cemetery and Iron Age enclosure are not located within the building zone and are therefore not a risk of being directly impacted by the development. These remains will continue to form part of a pastoral landscape within an extensive area of meadow planting.
- 9.145 The proposal is to preserve the significant remains in situ by placing additional soils over the remains. The archaeological consultants submitted two separate method statements setting out how the archaeology would be conserved. The submitted proposals are not acceptable to the County Archaeologist as currently shown, however he would support preservation in situ provided that an acceptable methodology can be delivered. Historic England also confirms that the current proposals do not adequately show how the archaeology will be conserved. The County Archaeologist is able to recommend conditions to require further archaeological works prior to the commencement of development to ensure that the remains are not harmed.

#### Evaluation

- 9.146 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.
- 9.147 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)
- 9.148 The condition requires further details to be submitted and further investigations to be carried out on site prior to the commencement of development, including excavations of a wider area surrounding the identified remains, and submission of a detailed methodology for preservation in situ, which will be assessed by the County Archaeologist and English Heritage prior to any scheme being agreed. The proposals have given due consideration to the significance of the heritage assets, and the archaeological remains will be properly preserved.

#### Listed buildings

- 9.149 Local Planning Authorities 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 when considering whether to grant planning permission for development which affects a listed building or its setting<sup>8</sup>
- 9.150 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).
- 9.151 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

- 9.152 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

- 9.153 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

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<sup>8</sup> Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

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.

- 9.154 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.
- 9.155 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.
- 9.156 Mackerye End Farm and Holly Bush Cottage (both Grade II) are located to the north of Mackerye End manor house.

#### Evaluation

- 9.157 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.

- 9.158 The proposal is therefore considered to have special regard to desirability of preserving the setting of listed buildings and their setting in accordance with the legal duty to do so under s66 of the Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy 86 of the St Albans Local Plan Review 1994.

### **Landscape**

- 9.159 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

- 9.160 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

- 9.161 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.

- 9.162 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.

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

9.164 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

9.165 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.

9.166 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

Table 8: landscape effects (landform, landuse, vegetation, landscape)		
	Year 1	Year 10
Landform	Major	Major-moderate
Landuse	Major-moderate	Moderate
Vegetation	Minor	Minor
Landscape	Minor	Minor

#### Landscape character



- 9.167 The main body of the site falls within the Upper Lea Valley (LCA: 33)<sup>9</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.
- 9.168 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.
- 9.169 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 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.

Table 9: landscape effects (landscape character)		
	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

- 9.170 The LVIA describes the main features of the proposed development:

<sup>9</sup> Hertfordshire Landscape Character Assessment

- 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

9.171 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).

Table 10: visual receptors: viewpoints in each category		
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

9.172 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

9.173 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

9.174 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

9.175 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

#### Mitigation

9.176 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

9.177 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

9.178 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

9.179 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. The proposal therefore do not preserve or enhance the quality of the landscape and are therefore regarded as contrary to Policy 104 of the St Albans Local Plan Review 1994.

9.180 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;

9.181 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.

9.182 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**

- 9.183 Policy 69 of the St Albans Local Plan Review 1994 requires developments to have an adequately high standard of design, having regards to context of the development (scale, height, size, density), materials that relate to adjoining buildings, buildings at the settlement edge shall be clad in materials that take account of the general character and tonal value of their background.
- 9.184 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.
- 9.185 The visual impact is restricted by locating buildings as close as possible to Common Lane and limiting the overall height of the main buildings to 9.6m (10.7m for the sports hall). The amount of development is the minimum required in order to meet BB103 space standards for new school development.
- 9.186 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**

- 9.187 The main school buildings is located on the west side of the site, as close as possible to Common Lane. The distance between upper floor windows on the western flank elevation of the school building and adjoining properties is 65m, which is regarded as sufficient to prevent direct views into adjoining properties.
- 9.188 The amount of floor space is the minimum level required in accordance with national guidance in Building Bulletin 103. The floor space is divided into three separate buildings in order to minimise the scale and mass of the development. The two storey height (max. 9.6m) should relate well to adjoining properties. The proposed use of red brick matches the predominant brick colour featured on many houses on Common Lane and in the local area. The proposal achieves an adequately high standard of design.
- 9.189 The main school buildings are set back from the Lower Luton Road to minimise the visual impact and potential impacts on residential amenity. Boundary planting is proposed at the front of the site and

within the car park to provide visual screening. The new buildings will be clearly visible from houses on Common Lane due to the removal of a number of trees to create the access on Common Lane. The application proposes additional planting on the western boundary although the visibility splay requirements would not permit the vegetation to be fully reinstated.

- 9.190 The proposal provides separate accesses for vehicles, pedestrians and cycles and minimising the number of crossing points to avoid unnecessary safety risks. The site is accessible from Harpenden via the surrounding footpath. The application proposes a controlled pedestrian crossing in front of the school. A total of 117 sheltered cycle parking spaces are provided at the front of the site.
- 9.191 The development should function well over its lifetime, incorporate green space, support local transport networks, and the use of sympathetic and durable materials which reflect the local surroundings make the development consistent with the overall design aims of the NPPF (Paragraph 58)
- 9.192 The proposal is regarded as complying with Policy 69 of the St Albans Local Plan Review 1994, in terms of achieving an adequately high standard of design for a school development, with regards to scale, height, size, density and uses cladding materials that take account of the general character and tonal value of their background.
- 2.193 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 requires new development in the Green Belt to integrate with existing landscape, through careful siting, design and external appearance, and additional landscaping.

## **Noise**

- 9.194 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.
- 9.195 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>10</sup>.

- 9.196 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>11</sup>.
- 9.197 The relationship between noise levels and the impact on those affected will depend on how various factors combine in any particular situation<sup>12</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.
- 9.198 The noise impact assessment submitted with the application includes background noise measurements at three locations:
1. approximately 6m from the carriageway of the Lower Luton Road;
  2. 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; and
  3. - western site boundary adjacent to Common Lane (210m from Lower Luton Road).
- 9.199 The noise assessment confirms road noise associated with the Lower Luton Road is the dominant noise source at 1 and 2 with road noise associated with traffic on Common Lane dominating at 3.
- 9.200 The noise assessment 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. It is likely that acoustic louvres or screens may be required for plantrooms to ensure

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<sup>10</sup> The NPPF: Paragraph 123

<sup>11</sup> National Planning Guidance: Noise: Paragraph: 003 Reference ID: 30-003-20140306

<sup>12</sup> National Planning Guidance: Noise: Paragraph: 006 Reference ID: 30-006-20141224



plant noise is less than +5dB, above which can result in adverse impacts.

### Evaluation

- 9.201 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.
- 9.202 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 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**

- 9.203 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>).
- 9.204 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.

Table 11: Recorded levels: NO <sub>2</sub> annual mean concentrations (µg/m <sup>3</sup> )			
	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.			

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

Table 12: mean NO <sub>2</sub> and PM <sub>10</sub> : concentration (1) for the Harpenden area: (2) modelled (adjusted) at the site level.		
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		
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 (µg/m <sup>3</sup> )	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>13</sup></li> <li>5. All adjusted modelled concentrations are below the National Air Quality Standard objectives</li> </ol>		

9.206 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

<sup>13</sup> Comparative Site Assessment: Addendum report Appendix 1 (paragraph 3.2.3)

people to existing sources of air pollutants by building new development in places with poor air quality.

- 9.207 Planning conditions can be used to secure mitigation, by the following means:
- 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

- 9.208 The comparative air impact assessment 2014 identified all sites as being equal in terms of air quality. However, the 2017 comparative 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.
- 9.209 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.
- 9.210 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**

- 9.211 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

- 9.212 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

- 9.213 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**

- 9.214 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.
- 9.215 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).
- 9.216 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 would 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.

9.217 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.

9.218 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.

9.219 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;

- 9.220 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

- 9.221 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.
- 9.222 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.
- 9.223 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 two of five of the purposes of the Green Belt, namely, to prevent towns from merging with one another, and to safeguard the countryside from encroachment, and would harm openness. **Substantial weight** is given to the potential harm to the Green Belt.
- 10.3 In terms of other harm, the proposal would result in moderate adverse effects to the landform and landuse, landscape character and a number of sensitive visual receptors 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 negative 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 very **limited negative 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 negative weight** is attributed to the agricultural impact.
- 10.6 The Transport Assessment and Travel Plan propose measures to achieve a high modal split in favour of sustainable travel. The proposed bus strategy will provide the means to deliver the additional bus services that are needed in order to ensure that 56% of pupils travel to school by bus. The proposal includes a package of off-site highway improvement schemes to encourage walking and cycling and provide safe access to the school site for pedestrians and cyclists. These measures are to be funded and delivered by the Travel Plan condition. Capacity improvements are proposed at the Station Road roundabout

(by 2023) to increase the efficiency of the junction and to reduce potential queueing at this location.

- 10.7 The internal layout, circulation, pupil drop off and bus stops should ensure queueing will be kept within the site. The Highway Authority regards the right turn movement into the entrance as acceptable to accommodate right turning vehicles, leaving the Lower Luton Road westbound carriageway largely unobstructed. While the adverse highway impacts are largely mitigated, the development will increase the level of traffic using this section of the Lower Luton Road and the potential for additional car journeys to add to delay, therefore **limited negative weight** should be given to this aspect of the proposal.
- 10.8 In terms of heritage assets, the proposals provide for conservation of the heritage assets. the conditions require further archaeological investigations to be carried out and a method statement to consider whether the remains can be preserved in situ. The proposals will be assessed by the County Archaeologist and English Heritage before a decision is made on whether the proposals are acceptable. The proposal has given consideration to the significance of the archaeology identified at the site.
- 10.9 In terms of listed buildings, the proposal would maintain an appropriate buffer and introduce woodland planting and individual trees, ensuring that the setting of listed buildings at Makerye End, located immediately to the north of the site, and the Thatched Cottage, located directly opposite the site, are appropriately preserved. The proposals give special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses in accordance with section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The impact on heritage assets is regarded as **neutral** in the overall balance.
- 10.9 The drainage strategy provides adequate flood water attenuation within the site for the 1 in 30 year rainfall event, in relation to overland flow, and the 1:100 year rainfall event, for surface water generated within the site. The proposal meets the requirement for greenfield run-off rates for new development in accordance with National Planning Guidance. The provision of appropriate attenuation for both the overland flow and surface water generated within the site should ensure that the development will be safe for the lifetime of the development, in line with the NPPF (Paragraph 102). The impact is regarded as **neutral** in the overall balance.
- 10.10 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 positive weight**.



- 10.11 The impacts on ecology are potentially positive in the long term; however the extent of the potential enhancement cannot be measured at this point and ecology is neutral in the overall balance
- 10.12 The education needs assessment has demonstrated that there is an urgent and sustained need for the additional secondary school places required within the Harpenden School Planning Area. Therefore, **great weight** is attached to the educational need in accordance with the NPPF (Paragraph 72).
- 10.13 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 considered to constitute very special circumstances to justify inappropriate development in the Green Belt.
- 10.14 It is considered that the very special circumstances in this case clearly outweigh the harm to the Green Belt and the other harm that have been identified.

## **11. Conclusion**

- 11.1 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 sustained need for additional secondary school places within the Harpenden Education Planning Area 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.

### 13. 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. Prior to the commencement of development, an update 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 school opening in Year 11 in the following year.

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:

- 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,
- 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
- provide details of any proposed changes to the timing of existing bus services, and
- specify the mechanism and source of funding the additional bus services.

The additional bus services shall be implemented as approved and maintained 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 first occupation of the school, 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 schools website.

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

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)

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 pupil intake, 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. 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

27. 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

28. 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.

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  $1.0 \times 10^{-5}$  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.

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 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

32. 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

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 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>**

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 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 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

40. 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

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;
- 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 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>14</sup> enabling intensive use by the school and community.

#### Multi use games area – detailed specification

45. 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

46. 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 submitted to and approved in

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<sup>14</sup> Natural Turf for Sport (Sport England, 2011)

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 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

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 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.

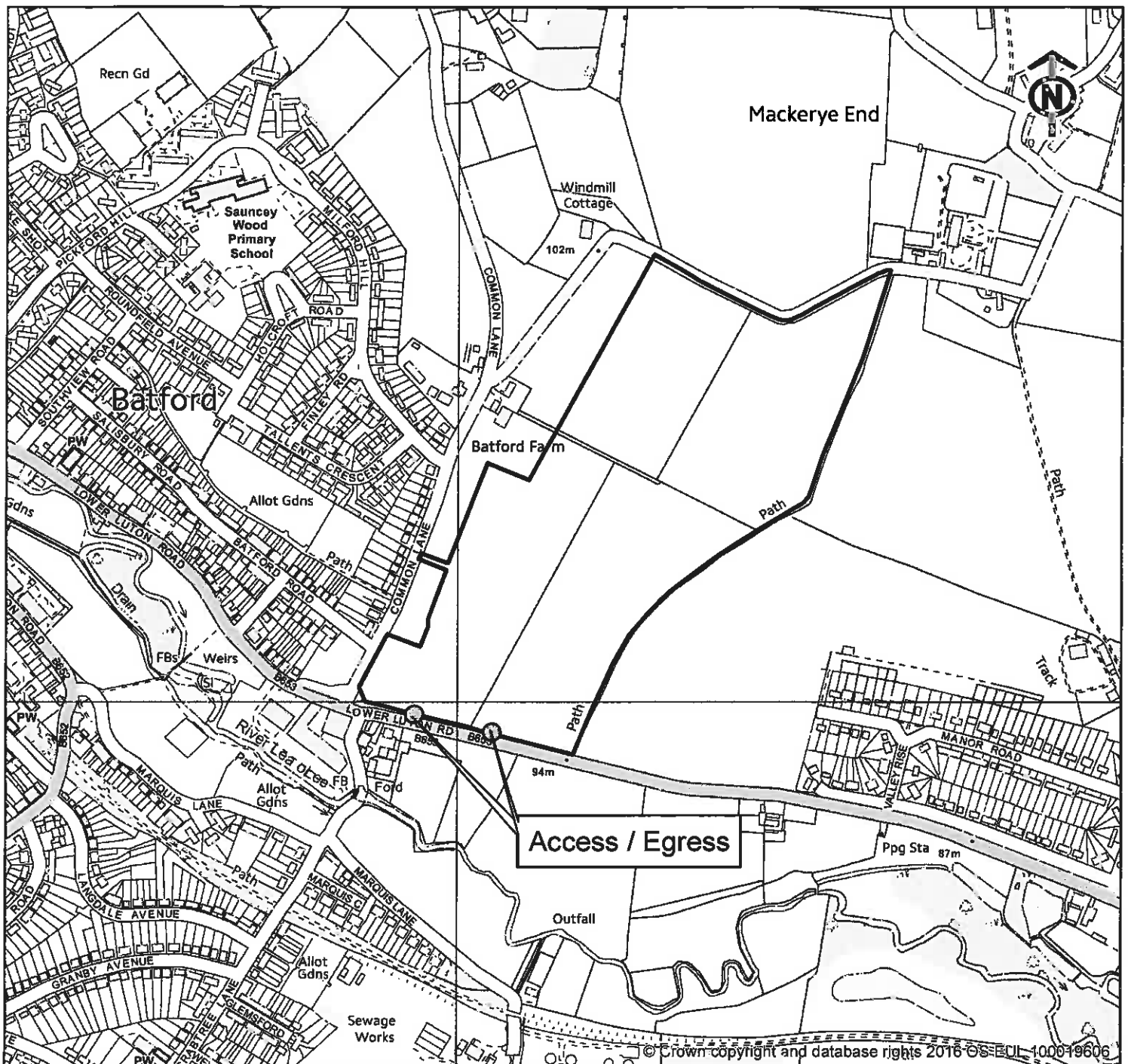
Reason: to develop the available opportunities to harness improvements against the baseline Target Emission Rate for carbon dioxide emissions set out in Building Regulations; in accordance with Neighbourhood Plan policy ESD15 (Carbon Dioxide Emissions).

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.

# Appendix 1:

## Site Location Plan



## DEVELOPMENT CONTROL COMMITTEE

Date: Monday 19th February 2018

Proposed 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

0 70 140 210 280 350 420 490 560 630

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# Appendix 2:

## Package of proposed off-site highway improvement schemes





Package of proposed off-site highway works		
	Location	Improvement scheme
1.	Site Frontage, Lower Luton Road	Proposed accesses, right turn lane, toucan crossing, Mini-roundabout modifications, new bus stops, Crabtree Lane raised table, Common Lane new eastern footways
2.	Site Frontage, Lower Luton Road & Crabtree Lane Speed Limit	Proposed 30mph Speed Limit extension and school zone to be agreed with HCC
3.	Common Lane junction with Batford Road & Milford Hill	Proposed pedestrian dropped kerbs and tactile paving
4.	Common Lane existing bus stops	Improvements to provide raised bus boarder kerbs
5.	Lower Luton Road, west of Batford Road	Proposed pedestrian crossing improvements, either conversion to zebra crossing or upgrade to puffin crossing, subject to further investigations
6.	Lower Luton Road junction with Southview Road, Pickford Hill & Porters Hill	Proposed pedestrian dropped kerbs and tactile paving
7.	Lower Luton Road, east of the mini-roundabout with Station Road	Proposed pedestrian crossing improvements, either conversion to zebra crossing or upgrade to puffin crossing, subject to further investigations
8.	Lower Luton Road, west of the mini-roundabout with Station Road	Proposed pedestrian crossing improvements, either conversion to zebra crossing or upgrade to puffin crossing, subject to further investigations
9.	Station Road, south of the mini-roundabout with Lower Luton Road near Coldharbour Lane	Proposed controlled crossing (zebra or puffin), subject to agreement with HCC
10.	Station Road, near the junction with Marquis Lane	Proposed controlled crossing (zebra or puffin), subject to agreement with HCC
11.	Lower Luton Road / Station Road Mini- Roundabout	Proposed capacity improvements
12.	Station Road, between the connections with the Upper Lea Valley Greenway and Harpenden Rail Station	Proposed pedestrian improvements, dropped kerbs and tactile paving
13.	Sun Lane, south of the double mini-roundabout with Hollybush Lane	Proposed pedestrian refuge island
14.	Crabtree Lane, over the River Lea	Surfacing and lighting improvements (assumes no works to footbridge required)
15.	Crabtree Lane, over the River Lea	Footbridge improvements if required by HCC
16.	Crabtree Lane, between the junctions with Marquis Lane and Aldwickbury Crescent	Proposed traffic calming and pedestrian dropped kerbs and tactile paving improvements
17.	Dalkeith Road, between the junctions with Crabtree Lane and Aldwickbury Crescent	Proposed pedestrian crossing improvements (dropped kerbs and tactile paving)
18.	All of Piggotshill Lane, and Marquis Lane between Piggotshill Lane and Crabtree Lane	Proposed Quiet Lane link and street lighting improvements
19.	All of Alzey Gardens	Proposed pedestrian crossing improvements (dropped

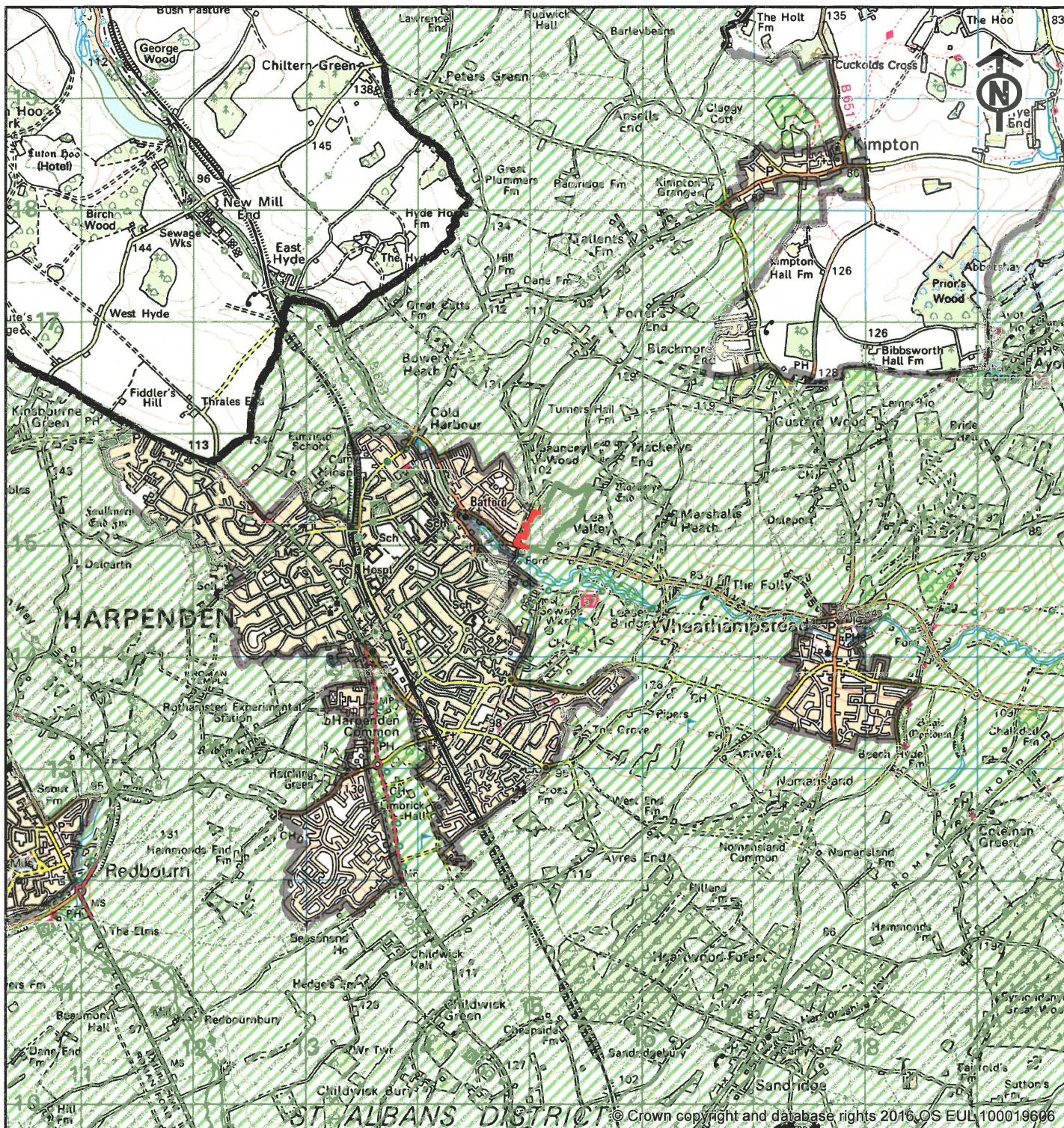
		kerbs and tactile paving)
20.	Wheathampstead Road, west of the mini-roundabout with Piggotshill Lane/Alzey Gardens, and Piggotshill Lane, north of the mini-roundabout with Wheathampstead Road/Alzey Gardens	Proposed pedestrian crossing improvements (dropped kerbs, tactile paving and pedestrian refuge island)
21.	Lower Luton Road, between site boundary to Valley Rise	Proposed footway / cycle track and pedestrian crossing Improvements
22.	Lower Luton Road, between Valley Rise and Folly Fields	Proposed footway improvements
23.	Hollybush Lane railway bridge	Proposed 20mph speed limit at railway bridge crossings, subject to meeting HCC's ' <i>Speed Management Strategy</i> '
24.	Sun Lane railway bridge	
25.	Station Road railway bridge	
26.	Crabtree Lane railway bridge	
27.	Southdown Road railway bridge	
28.	Walkers Road railway bridge	
29.	Cravells Road railway bridge	
30.	Various, to be agreed	Proposed commuted sum or similar mechanism to be agreed with HCC to implement future parking restrictions / CPZ within school vicinity

# Appendix 3

Map showing the extent of the  
Metropolitan Green Belt  
surrounding Harpenden and  
Wheathampstead







## Extent of Green Belt surrounding Harpenden and Wheathampstead

0 510 1,020 1,530 2,040 2,550 3,060 3,570 4,080 4,590  
Meters

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# Appendix 4

## Landscape Masterplan





## KEY

### SOFTWORKS

- Proposed tree
- Existing tree/hedge to be removed
- Proposed ornamental planting
- Existing vegetation to be retained
- Proposed hedge
- Proposed native planting
- Long/Meadow Grass
- Proposed lawn / grassed area
- Sports pitch - natural turf

### HARDWORKS - PAVING

- Concrete block paving
- Concrete slab paving
- Porous self-binding gravel
- Porous retained gravel
- Tarmac
- Sports surfacing - porous macadam
- Concrete
- Grass/bamboo gravel

### FURNITURE AND STRUCTURES

- Cycle shelter
- Bench
- Seating cubes
- Table w/ seats
- Seating wall/Retaining wall
- Gabion retaining wall

### GRADING

- Proposed levels
- Existing levels retained
- Slopes/banks
- Proposed contour (m AOD)

### FENCING & BOUNDARY

- Existing post & wire netting made good or replaced
- Proposed 1.2m high standard post & wire fence with burglarizing
- Proposed green wild mesh sports fence 2m high
- Proposed green wild mesh fence 2m high



NOTE: For lighting proposals refer to External Lighting Report by Clearwater

1	24/10/2017	Planning	TLP
2	14/10/2017	DRAFT Planning	TLP
3	24/11/2017	DRAFT Planning	TLP
Rev	Author	Revision Description	Revised By



Client: Landscape Architect - The Landscape Partnership

From: Katherine Warrington School, Harpenden

Drawn: Landscape Masterplan

Project Number: FS0448-TLP-ZZ-XX-DR-L-0100

Scale: 1:1000 @A1 (metres)

PLANNING

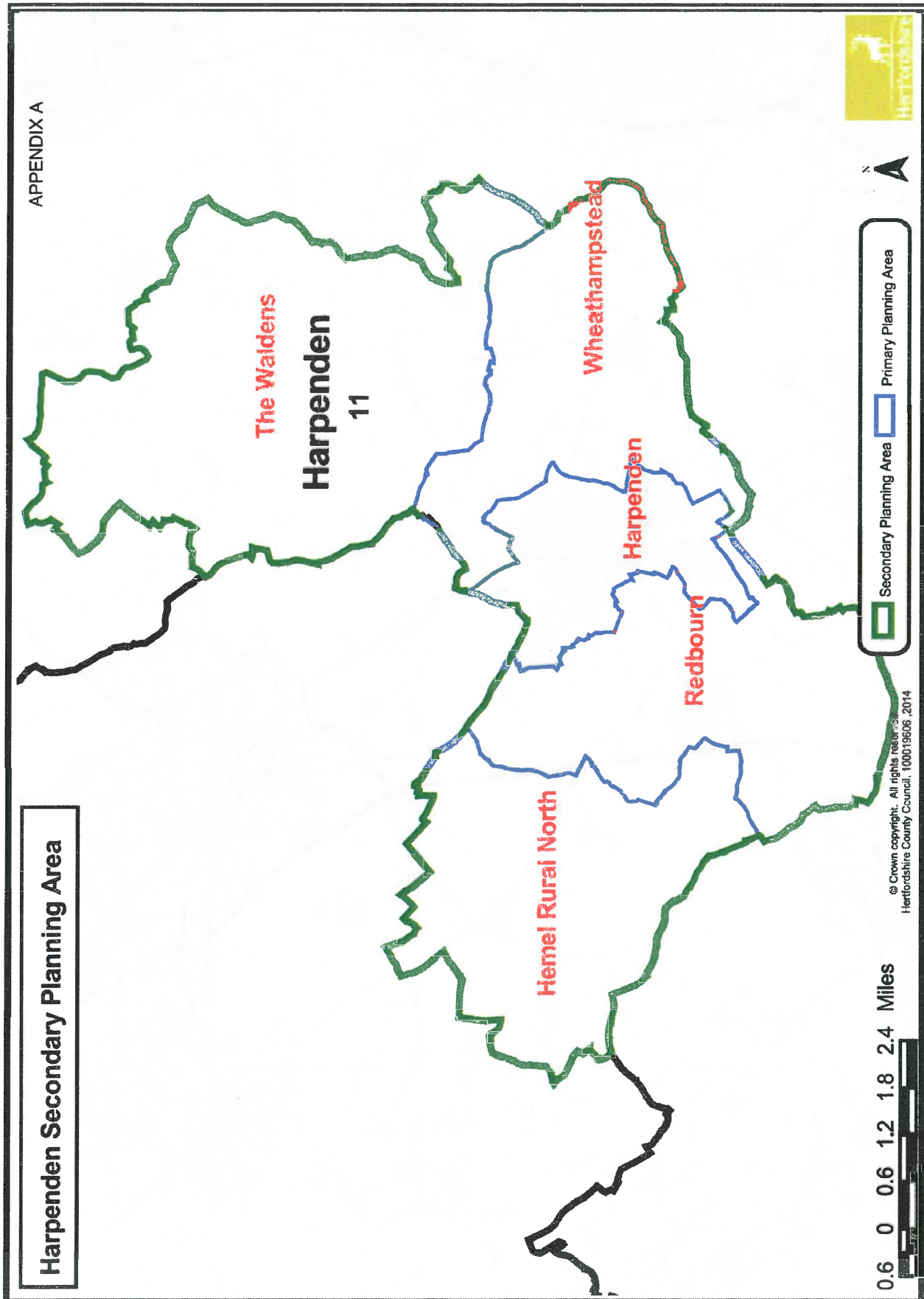




# Appendix 5

## Map of the Harpenden Education Planning Area







# Appendix 6:

## Planning and Transport Policies





## 2.0 KEY STRUCTURING POLICIES

### METROPOLITAN GREEN BELT

2.1 Green Belts have five purposes according to DoE's Planning Policy Guidance Note PPG2 (Green Belts):

- (i) to check the unrestricted sprawl of large built-up areas;
- (ii) to safeguard the surrounding countryside from further encroachment;
- (iii) to prevent neighbouring towns from merging into one another;
- (iv) to preserve the special character of historic towns;
- (v) to assist in urban regeneration.

2.2 PPG2 also states that:

- (i) Green Belts have a positive role in providing access to open countryside for the urban population;
- (ii) the essential characteristic of Green Belts is their permanence and their protection must be maintained as far as can be seen ahead;
- (iii) detailed boundaries should not be amended or development allowed merely because land has become desirable.

2.3 The original St. Albans District Plan (adopted July 1985) placed all the District within the Metropolitan Green Belt except for the main built-up areas. In approving the County Structure Plan Review in 1996, the Secretary of State could find no justification for a general revision of Green Belt boundaries. However, he has allowed some flexibility in respect of:

- (i) **Minor adjustments to the Green Belt**  
The Secretary of State accepts that there may be individual cases where existing boundaries could benefit from minor readjustment so that they are better related to long term permanence.
- (ii) **Hospital sites**  
As explained in para. 1.15, 2,500 dwellings are proposed by 1996 on redundant hospital sites in Hertfordshire (including Hill End, Oak Barns and Naphery Hospitals in St. Albans District). The 2,500 figure is not to be regarded as a definite target and the total may be revised

upwards or downwards following detailed studies in the context of Circular 12/87. The Structure Plan did not propose that the hospital sites be released from the Green Belt.

The Structure Plan Alterations 1991 does not propose any further adjustments to the Green Belt within St. Albans District for the period to 2001.

2.4 Given this strategic guidance, the District Plan Review proposes a limited number of minor adjustments to the Green Belt in order to improve the long term permanence of the boundaries (see *Appendix to this Plan*). More major boundary adjustments have been made at the following locations:

- (i) White Horse Lane, London Colney;
- (ii) Banger Road, London Colney;
- (iii) Frogmore;
- (iv) Colney Street industrial/warehousing estate;
- (v) North-East Hemel Hempstead (west of Cherry Tree Lane);
- (vi) North of Buncelfield, Hemel Hempstead.

The reasons for these boundary changes are explained in the Appendix (*Locations 112, 13, 14, 20, 26A and 27*).

2.5 In accordance with PPG2 and Policy 1 of the County Structure Plan Review, the District Council's policy towards development in the Green Belt is generally restrictive. However, the Council recognises that certain types of development are acceptable in the Green Belt and that considerable importance should be attached to visual enhancement of the Green Belt and encouragement of appropriate leisure development.



*Redbourn - specified settlement*

## POLICY 1 METROPOLITAN GREEN BELT

The whole of St. Albans District lies within the Metropolitan Green Belt except for the following areas:

- (i) the towns and specified settlements listed in Policy 2;
- (ii) land North of Buscfield, Hemel Hempstead (proposed warehousing, see Policy 20, ref: EMP 7);
- (iii) Colney Street Industrial/Warehousing Estate (see Policy 20, ref: EMP22);
- (iv) North-East Hemel Hempstead (land west of Cherry Tree Lane - see Policy 26).

The boundaries of the Green Belt around these areas (as shown on the Proposals Map) have been defined by reference to the degree of long term expansion of the built-up areas acceptable in the context of the stated purpose of the Green Belt.

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 that required for:

- a) mineral extraction;
- b) agriculture;
- c) small scale facilities for participatory sport and recreation;
- d) other uses appropriate to a rural area;
- e) conversion of existing buildings to appropriate new uses, where this can be achieved without substantial rebuilding works or harm to the character and appearance of the countryside.

New development within the Green Belt shall integrate with the existing landscape. Siting, design and external appearance are particularly important and additional landscaping will normally be required. Significant harm to the ecological value of the countryside must be avoided.

The circumstances and locations in which development will be permitted will also have regard to the ensuing policies, particularly:

Chapter	Subject	Policies
2	Key structuring policies	2
3	Housing	6, 8, 10-18
4	Employment	24
5	Transportation	34, 39-50
6	Shopping and service uses	55-60
7	Social and community services	60B, 61, 63-67
8	Design and environment	70, 72-80, 84
9	Conservation and historic buildings	88-90
10	Leisure	91, 93, 95-98
11	Tourism	99, 101
12	Countryside	102-106
14	Archaeology	109-111
15	St. Albans City Centre	114
17	Highfield Owd site, Harpenden	132
18	Fleetville	137
19	London Colney	139
20	Upper Colne Valley	143, 143A

## SETTLEMENT STRATEGY

2.6 Policies 47-51 of the County Structure Plan Review are concerned with settlement planning. These policies stress the importance of maintaining the character of the County's settlements and of channeling development in accordance with the following hierarchy:

- (i) **Towns:** Generally settlements of over 5,000 population. Excluded from the Green Belt;
- (ii) **Specified Settlements:** Larger villages generally of 2,000-5,000 population. Excluded from the Green Belt;
- (iii) **Green Belt Settlements:** Smaller villages within the Green Belt.

2.7 Development pressures have increased markedly in recent years and the essential character of the District's settlements is in danger of being eroded. The Council is especially concerned to safeguard the District's villages. Consequently, this Plan draws a much sharper policy distinction between towns and specified settlements than in the original District Plan. However, even in towns a new emphasis needs to be given to conserving the character and amenity of the environment.



Sandridge - Green Belt settlement

### POLICY 2 SETTLEMENT STRATEGY

The District Council will seek to protect and enhance the essential character of existing settlements. Proposals contrary to the policies in the design and environment and the

### POLICY 2 (Cont.)

conservation and historic buildings chapters of this Plan (chapters 8 and 9) will not normally be permitted. The Council will have regard not only to the impact of individual developments but also to the cumulative effect. In particular the Council will seek to safeguard:

- (i) the character of specified settlements and Green Belt settlements (see Policies 5 and 6);
- (ii) green spaces within settlements (Policy 75);
- (iii) Conservation areas (Policy 85).

The nature and intensity of development acceptable in particular locations will reflect the following settlement hierarchy (see figure 4) and statement of policy. More detailed policy guidance is provided in the remainder of this Plan.

#### 1. TOWNS

The following settlements are classified as towns and are excluded from the Green Belt:

Ref.	PM <sup>(1)</sup>	Settlement
T.1	3, 4, 8, 9	St Albans
T.2	1, 2, 11	Harpenden

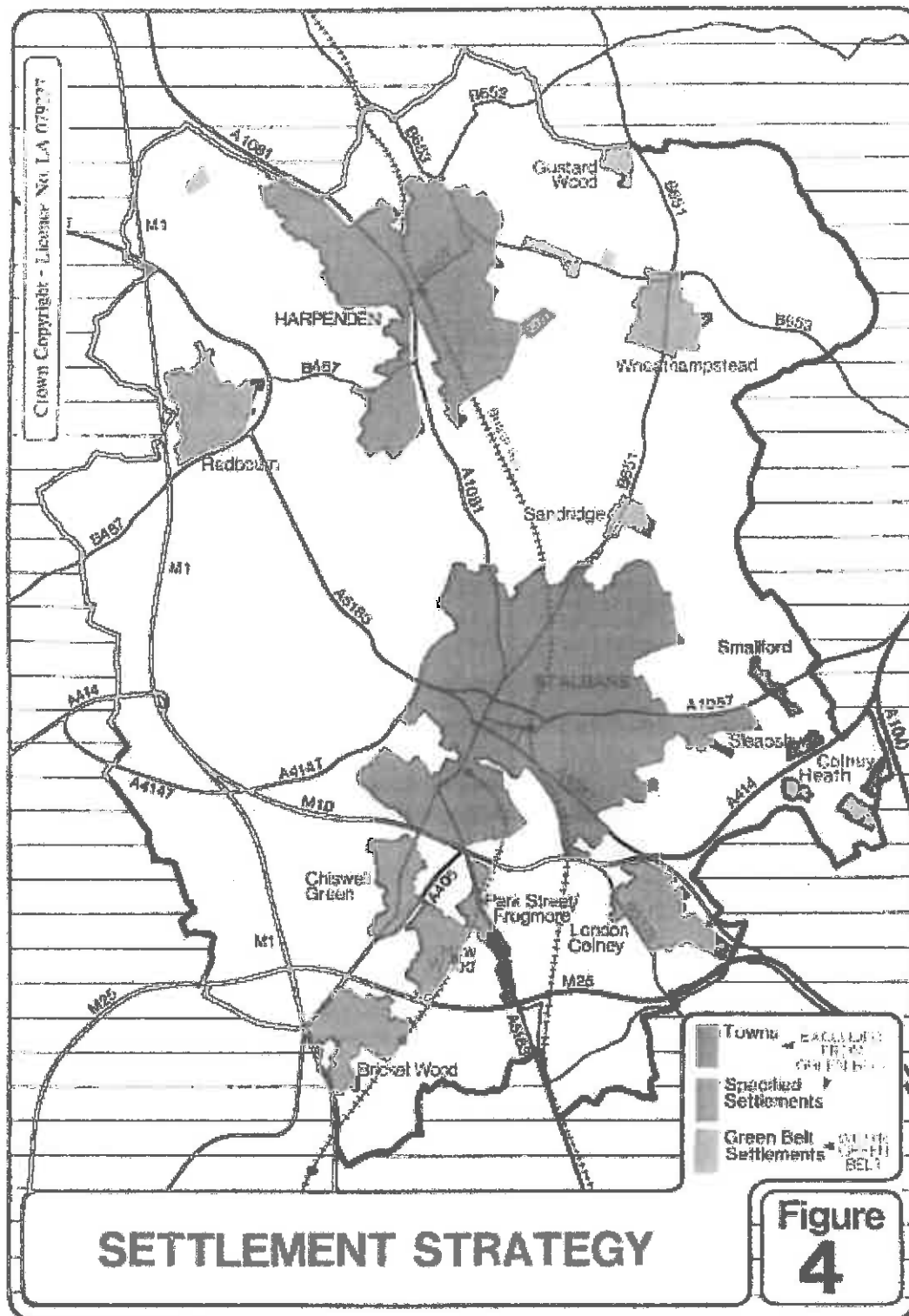
Development will generally be concentrated in towns, but proposals should not detract from their essential character particularly in respect of (i)-(iii) above.

#### 2. SPECIFIED SETTLEMENTS

The following large villages are classified as Specified Settlements and are excluded from the Green Belt:

Ref.	PM <sup>(1)</sup>	Settlement
SS.1	3	Bricket Wood
SS.2	3	Chiswell Green
SS.3	3	How Wood
SS.4	1	London Colney
SS.5	3, 4	Park Street/Trogmore
SS.6	1	Redbourn
SS.7	2	Wheathampstead

Continued on page 18



### POLICY 2 (Cont.)

Residential densities on development sites within existing housing areas will generally be lower than in towns (see Policy 5). Proposals in specified settlements must be compatible with the maintenance and enhancement of their character and Green Belt boundaries. In particular, infill housing development will be permitted only where consistent with this approach.

#### 3. GREEN BELT SETTLEMENTS

The following smaller villages are located within the Green Belt and are classified as Green Belt settlements:

Ref.	PM <sup>(1)</sup>	Settlement
GBS.1	1	Annables, Kimbourn Green
GBS.2	4	Colney Heath (3 parts)
GBS.3	2	Folly Fields
GBS.4	2	Gusard Wood
GBS.5	2	Lea Valley Estate
GBS.6	4	Radlett Road, Frogmore
GBS.7	2, 4	Sandridge
GBS.8	4	Slapshyre
GBS.9	4	Smallford

Apart from the exceptions in Policy 1, development will not normally be permitted except:

- a) the local housing needs described in Policy 6;
- b) the local facilities and service needs of the settlement in which the development is proposed.

Development must not detract from the character and setting of these settlements within the Green Belt.

#### Footnote

(1) PM = Proposed Map sheet - see Preface (figure 1).





Old Albanians sports ground, St Albans - proposed housing site



Harpenden Rise Harpenden - proposed housing site

## **POLICY 4 NEW HOUSING DEVELOPMENT IN TOWNS**

Within the towns of Harpenden and St. Albans as defined in Policy 2, there will be a presumption in favour of housing development on:

- (i) the sites listed in the schedule at the end of this policy and defined on the proposals map<sup>(1)</sup>. Development on these sites should comply with the Planning Guidelines in the schedule;

## **POLICY 4 (Cont.)**

- (ii) other sites where housing is consistent with the policies of this Plan. Residential development will not be permitted if there is a need to retain land in open use (see Policy 75) or if the land is required for another purpose in accordance with this Plan's policies and proposals<sup>(2)</sup>. Where comprehensive redevelopment is proposed on existing industrial and warehousing sites (except those listed in Policy 20) the Council may require a housing development (see Policy 24).

The Council will normally seek to negotiate an element of affordable housing on sites of over 0.4 hectares and on sites of under this size where 15 or more dwellings are proposed (see Policy 7A).

Residential design and layout - proposals will be assessed against Policy 70. Schemes for redevelopment in existing residential areas will also be assessed in relation to the cumulative impact of such development on the character and amenity of the area.

### **Footnotes**

(1) Apart from a few sites in the St. Albans City Centre and Harpenden Town Centre Inner Map areas, the sites in the schedule are each expected to produce a net gain of at least 5 dwellings.

(2) Policies 20 and 23 indicate that housing development would be acceptable on some employment sites (ie. Policy 20 sites EMP11 (part of site only) and EMP14; Policy 23 sites B1.2A, B1.13 and B1.19). Housing would also be acceptable on part of the Policy 13B site.

Continued on page 22





### **POLICY 34: HIGHWAYS CONSIDERATIONS IN DEVELOPMENT CONTROL**

Development likely to generate a significant amount of traffic, or which involves the creation or improvement of an access onto the public highway, will not normally be permitted unless acceptable in terms of the following highway considerations:

- (i) **Road safety.** Particular requirements are adequate visibility, turning radii and provision for pedestrians and cyclists and for disabled and other disadvantaged people;
- (ii) **Environmental impact of traffic,** especially in residential areas;
- (iii) **Road capacity,** including present and predicted future year movements;
- (iv) **Road hierarchy.** New roads shall be of a design appropriate to their position in the hierarchy. New accesses to primary roads and main distributor roads (see Figure 8) will normally be resisted, but where access is permitted a high standard of provision will be required;
- (v) **Car parking provision.** See Policies 39 - 50;
- (vi) **St. Albans City Centre restraint on development.** See Policy 39;
- (vii) **Local road roads.** Particular regard will be had to increases in:
  - a) the risk of accidents, especially to pedestrians and cyclists;
  - b) the use of roads that are poor in terms of width, alignment or structural condition;
  - c) adverse impact on the local environment, either to the rural character of the road or residential properties alongside it.

This particularly applies to recreational developments which could attract large numbers of visitors, even if only on one or two occasions a year.

### **POLICY 34 (Cont.)**

In assessing applications, account will be taken of the advice contained in current documents prepared by Department of the Environment, Department of Transport, Hertfordshire County Council and this Council.

5.39 The designation of an area in this Plan for a particular use indicates its general suitability in planning terms for that use. However, satisfactory access to the public highway network may not be available or the highway network may lack adequate capacity. Developers will need to satisfy the Highway Authority that adequate access can be achieved and that the full highway effects of the development would be covered for

5.40 The District Council, as local planning authority, recognises that most developments will give rise to an increase in traffic. The most noticeable effects are usually in the vicinity of the development, but the additional traffic will spread over a much wider area. In St. Albans City and other areas in the District considerable traffic problems now exist. Neither the District nor County Council is able to make sufficient funds available to cater for the demands being placed upon the road network by the additional development generated traffic.

5.41 A development may result in identifiable impact on a number of particular locations, as well as an incremental loading throughout a wider area. It will often be undesirable, or impractical, to carry out improvements at all junctions affected by a proposal. What will be sought is the achievement of a proper balance between the adverse effects and the benefits of each development proposal. In some cases it may be possible to identify improvements to the public transport system which may assist in reducing the demand for road space.

### **POLICY 35 HIGHWAY IMPROVEMENTS IN ASSOCIATION WITH DEVELOPMENT**

In order to mitigate the highway effects of development proposals the District Council, in conjunction with the County Council where appropriate, will seek highway improvements or contributions to highway improvements and/or improvements to the public transport system from developers whose proposals would otherwise result in detrimental highway conditions.



## Project 5 Review of Parking Standards

- (i) The District Council will take part in the HTCOA review of parking standards and will consider amending Policies 39-50 in the light of any recommendations made by HTCOA;
- (ii) In addition to the HTCOA review, the District Council will carry out a study to assess the requirements for parking associated with affordable housing and will include a policy in the next Local Plan, subject to the results of the study.

### POLICY 39 PARKING STANDARDS, GENERAL REQUIREMENTS

Development proposals shall include off-street parking provision in accordance with the following criteria:

- (i) **Land uses covered by Policies 40 and 43-49.** The relevant standard shall normally be complied with. However, requirements may be adjusted to reflect the circumstances of individual developments, particularly in respect of criteria (ii) and (v) below;
- (ii) **Land uses not covered by Policies 40 and 43-49.** Applicants must demonstrate that sufficient parking is proposed for the long-term needs of the development;
- (iii) **Highways and environmental considerations.** Proposals must comply with Policy 34 and be acceptable in terms of visual impact, landscaping and amenity of adjoining properties. Landscaping and screening improvements may be required. Access roads and parking areas must not detract from the setting of listed buildings and conservation areas, or substantially reduce the amenity of private gardens;
- (iv) **Underground car parking.** In St. Albans City Centre and Harpenden Town Centre, underground car parking will be encouraged where appropriate;
- (v) **Changes of use and extensions.** Parking provision shall reflect the additional number of spaces required for the new use or the extension. It will not normally be necessary to make good any shortfall that may already exist on the site. However, full standards must be met if comprehensive redevelopment takes place;
- (vi) **Employment/staff numbers.** Employee or staff number based parking requirements in Policies 43, 45, 48 and 49 shall be derived from estimated peak period staffing of the building;
- (vii) **Fractions of parking spaces.** Where a calculation of parking space requirements results in a fraction of a space, the figure shall be rounded up to the nearest whole number (half spaces shall be rounded up);
- (viii) **Bicycles and motor cycles.** Parking provision may be required in larger developments;
- (ix) **Parking layout.** All parking areas must be clearly marked out in bays. Parking spaces shall be a minimum of 2.4 x 4.8 metres. At least 6 metres is required between rows of spaces, or 7.3 metres in the case of garages or car ports. Where spaces are provided in lay-bys or on the public highway, bay lengths shall be 6 metres. All spaces must be capable of independent use, with the exception of spaces provided for the exclusive use of one dwelling where a degree of doubling up is acceptable (e.g. a garage with parking space in front of it);
- (x) **Parking for disabled people.** Policy 50 shall be complied with.

POLICY 40 RESIDENTIAL DEVELOPMENT PARKING STANDARDS				
DWELLING SIZE (BEDROOMS)		NUMBER OF SPACES REQUIRED PER DWELLING		
		ALLOCATED <sup>(1)</sup>	UNALLOCATED <sup>(2)</sup>	TOTAL
1 (including bedsits)	either <sup>(3)</sup>	0	1.5	1.5
	or	1	0.5	1.5
2	either <sup>(3)</sup>	0	2	2
	or	1	1	2
	or	2	0.5	2.5
3		2	0.5	2.5
4 or more		3	0.5	3.5

Proposals will also be assessed against the following criteria:

(i) Policy 39 must be complied with, especially criteria (iii) and (iv);

(ii) ~~Edenley garage dwellings and residential households. See Policy 43;~~

(iii) Location of spaces.

a) ~~Allocated spaces must be located within the curtilage of individual dwellings where possible and normally be visible from the dwelling in which it is allocated. A driveway in front of a garage must be at least 5.5 metres long to count as a parking space and allow for opening of garage doors;~~

b) ~~Unallocated spaces shall be provided in smaller groups (usually of no more than 10 spaces) and normally be placed within 25 metres of the entrance to dwellings they serve. These spaces must be well lit and be visible from dwellings in order to discourage parking on the highway. The unallocated spaces shall include 0.25 per dwelling for visitors parking. Where possible, visitors parking spaces shall be provided in lay-bys adjoining a proposed new highway in a form to be adopted by the highway authority;~~

(iv) ~~Extensions to existing dwellings providing potential additional bedrooms, and residential conversions. Permission will not~~

~~normally be permitted unless parking complies with the above standards (see also Policy 39, criterion (v)).~~

(v) ~~Parking Requirements of Affordable Housing. A lower parking requirement will be applied to affordable housing schemes if secure arrangements are made to ensure that the housing will remain "affordable" in perpetuity, rather than just for the initial occupants (see Policies 74 and 8). The extent to which parking standards will be relaxed will depend on the circumstances of the individual site. Once Project 5 (ii) has been carried out, the conclusions arising from this project will also be taken into account;~~

(vi) ~~Review of Parking Standards. The results of the County-wide review of parking standards (see project 5 (i)), will also be taken into account.~~

**Footnotes**

(1) ~~Allocated parking spaces = off-street spaces allocated to individual dwellings in the form of garages, allocated grouped householdings, or garages or householdings within a dwelling's curtilage~~

(2) ~~Unallocated spaces = parking spaces not allocated to any dwelling, but available for general public use including visitors.~~

(3) ~~1 and 2 bedroom dwellings and bedsits - applicants have a choice of whether or not parking provision will include spaces allocated to individual dwellings.~~

## EDUCATIONAL FACILITIES

7.13 Education is the responsibility of the County Council who consult the District Council on proposed developments before granting themselves deemed planning permission. In addition to state education, there are the schools in the private sector. Bearing in mind the amount of activity generated by schools, and their impact on the environment, it is important that they are properly located. The District Council will seek to ensure that new primary schools are located within an easy and safe walking distance of the community to be served.

### POLICY 65 EDUCATION FACILITIES

The following new site is shown for educational purposes on the Proposal Map:

REF.	PM <sup>(1)</sup>	LOCATION	PROPOSAL
PS/PF 1		High Beches JMI School, Aldwicksbury Crescent, Harpenden	playing field extension

In addition, a primary school should be considered within the Hill End/Cell Barnes Hospital site redevelopment scheme (see Policy 137).

Proposals for new schools, extensions to existing schools or changes of use to schools will be assessed against the following:

#### A. Within towns and specified settlements (see Policy 2)

- (i) where a loss of dwellings is proposed, Policy 10 (iv) shall be complied with;
- (ii) the impact on the amenity of the surrounding area in terms of visual impact, design, noise and disturbance, road access and traffic generation;
- (iii) sufficient on-site parking and servicing shall be provided;
- (iv) provision shall be made for the setting down and picking up of pupils, by car or public transport, in a safe and acceptable manner.

### POLICY 65 (Cont.)

#### B. Within the Metropolitan Green Belt (see Policy 1) including Green Belt settlements (see Policy 2)

- (i) criteria A. (i)-(iv) above shall be complied with;
- (ii) the impact on the ecology, natural beauty and amenity of the countryside will be assessed. In particular, the siting and scale of new buildings or extensions shall be modest in size and well related to existing buildings. New landscaping will normally be required, particularly where proposals involve the development of urban edge sites;
- (iii) New schools will be permitted only if very special circumstances can be demonstrated. It must be shown that no suitable location is available in areas excluded from the Green Belt and that there is an overriding need for the proposal to cater primarily for children living within the District;
- (iv) Change of use will be assessed against Policy 77.

#### Footnote

(1) PM = Proposal Map Sheet. See Preface (Figure 1).

7.14 The District Council intends further to encourage the dual use of school sports facilities, many of which are already let for sports club use during the evenings, school holidays and weekends (see Policy Intention 27).

## DAY NURSERIES AND CRECHES

7.15 There is a shortage of day nursery provision in the District, demonstrated by a number of planning applications for such uses in recent years. These take a variety of forms including creches, play groups and day nurseries of varying sizes. Provision may involve changes of use or new-build. Most planning applications have involved dwellings and have raised issues about traffic and parking, the loss of residential accommodation (Policy 10) and the potential impact on the character of the area.

7.16 Day nurseries and creches fall within Use Class D1 (non-residential institutions) which also

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continue

### POLICY 62 COMMUNITY CARE

The provision of small community care homes and hostels will be encouraged. It is Health Authority policy that units and homes should be dispersed within the community in the interests of prospective residents and existing communities. The location of such developments in close proximity to each other in such a way as to undermine this policy will not normally be permitted.

### HEALTH CENTRES, DOCTORS AND DENTISTS SURGERIES

7.11 The Council is concerned to ensure that provision is made for health centres, and doctors and dentists surgeries particularly in areas of new residential development and in existing areas where there are known deficiencies. One such area is Brickel Wood where there is no purpose-built health centre. Investigations into a suitable site will be made in consultation with Here's Family Health, St. Stephen Parish Council and other local organisations.

### POLICY 63 HEALTH CENTRES, DOCTORS AND DENTISTS SURGERIES

The following site is allocated for health centre or doctors/dentists surgery use:

REF.	PM <sup>(1)</sup>	LOCATION	DETAILED GUIDANCE
HS.1	2	Marford playing field, Wheatthampstead	access from Brockel View via Marford Hall car park

In addition a general practitioners clinic should be considered within the local shopping centre at the HM End Hospital site redevelopment scheme (see Policy 137).

### POLICY 63 (Cont.)

Surgeries will be encouraged to locate as near as possible to shopping centres which possess a dispensing chemist and adequate car parking.

Car parking shall comply with Policy 48.

*Footnote*

(1) PM = Proposals Map sheet. See Preface (Figure 1)

### PRIVATE HEALTH FACILITIES

7.12 In order to ensure that proposals do not have an adverse effect on the amenity of an area the following policy will be applied:

### POLICY 64 PRIVATE HEALTH CARE FACILITIES

Proposals to provide health care facilities will be assessed against the following:

- (i) Within towns and specified settlements (see Policy 2). The proposal shall not be detrimental to the amenity of the surrounding environment in terms of visual impact, design, road access and car parking;
- (ii) Within the Metropolitan Green Belt (see Policy 1), including Green Belt settlements (Policy 2). Proposals involving a change of use will be assessed against Policy 77. Permission for a change of use will be granted only if it can be demonstrated that no suitable location is available in areas excluded from the Green Belt and the proposal complies with (i) above and one of the following Policies: 61, 66, 77, 88, 89.

Extensions shall be modest in size and well related to the existing building. The siting and appearance shall not harm nearby residents or the ecology, natural beauty and amenity of the countryside. Landscaping will normally be required.

## POLICY 69 GENERAL DESIGN AND LAYOUT

All development shall have an adequately high standard of design taking into account the following factors:

- (i) **Context** - The scale and character of its surroundings in terms of height, size, scale, density<sup>(1)</sup> or plot to floorpace ratio;
- (ii) **Materials** - Shall normally relate to adjoining buildings. Large isolated buildings in rural or settlement edge settings shall be clad in materials that take account of the general colour and tonal value of their background;
- (iii) **Other Policies** - Applicants shall take into account all relevant policies and requirements. In particular:

SUBJECT	PAGES
Settlement Strategy	2
Highways	34
Parking	39-50
Design and Environment	70-84
Conservation and Historic Buildings	85-93

### *Footnote:*

- (1) Where density is used to judge the effect of the volume of buildings on the character of the area, the Council will use the measure of habitable rooms per hectare (for residential development) or plot to floorpace ratio (for other development).

## NEW HOUSING

8.5 The District Council will seek to promote a high standard of design and layout for new residential development. The Council is increasingly concerned about the number of applications for small dwellings, usually in the form of three storey flats, which have little or no amenity space or privacy for ground floor flats and lack space for effective planting.

8.6 The original District Plan encouraged higher densities and more small dwellings, but there is now concern that many recent developments have been too intensive and that the essential character of the District's settlements is being eroded. Established residential areas with a spacious landscaped character

are particularly at risk. Also, there is a danger that specified settlements will become increasingly urbanised. This would be contrary to County Structure Plan Policy 50 and District Plan Policies 2 and 5.

8.7 Policy 70 contains the Council's approach towards housing layout, character and design, with an emphasis on the need to respect the setting and character of surroundings. Application of this housing policy generally, together with the Policy 40 parking requirements, may result in the reduction of average housing densities and prevent "town cramming". Policy 70 will be supplemented by the guidance to be contained in District Council Design Advice Leaflet 1 (*see para. 9.21*). In Conservation Areas, Policy 85 must also be taken into account.



Old Garden Court - St. Albans

## POLICY 70 DESIGN AND LAYOUT OF NEW HOUSING

The design of new housing development should have regard to its setting and the character of its surroundings and meet the objectives set out in (i) to (iii) below:

- (i) **Design and layout** - massing and siting of buildings shall create safe, attractive spaces of human scale<sup>(1)</sup>;
- (ii) **Dwelling mix** - to cater for a range of needs and provide a variety of layout and appearance, a mix of housing types and sizes will be negotiated on large schemes. Large concentrations of small dwellings should be designed in a manner that avoids domination of public spaces by overhanging hard surfaces and vehicles, and by lack of privacy for ground floor flats;





the Council to make a tree preservation order if it considers that the proposal is unacceptable.

8.19 The Council expects that proper consideration will be given to the landscaping requirements of all planning proposals, in order that the quality of the environment of the District will be maintained and enhanced. Sections 5 and 6 of BS 5837 ("Guide to Trees in Relation to Construction", 1991) provide excellent and detailed "good practice" guidance and should be taken into account by applicants. Advice on landscaping in industrial sites is contained in the Council's publication "Landscaping Guidelines for Industrial Sites".

## **POLICY 74 LANDSCAPING AND TREE PRESERVATION**

The Council will take account of the following landscaping factors when considering planning applications:

### **(i) Retention of existing landscaping**

- a) significant healthy trees and other important landscape features, such as hedgerows, ponds and watercourses shall normally be retained unless it can be shown that retention is incompatible with overall design quality and/or economic use of the site;
- b) on sites with significant existing landscaping, planning applications shall be supported by a full tree survey indicating all landscape features, tree species, canopy spread, trunk diameter and level at the base of each tree;
- c) trees shall not normally be severely topped or lopped, or endangered by construction work or underground services. In addition, buildings shall not be sited where they are likely to justify future requests for tree felling or surgery for reasons of safety, excessive shading, nuisance or structural damage;
- d) the Council will make tree preservation orders and/or attach appropriate landscaping conditions to planning permission to safeguard existing trees and ensure that new planting is established and protected;

## **POLICY 74 (Cont.)**

### **(ii) Provision of new landscaping**

- a) where appropriate, adequate space and depth of soil for planting must be allowed within developments. In particular, screen planting including large trees will normally be required at the edge of settlements;
- b) detailed landscaping schemes will normally be required as part of full planning applications. Amongst other things they must indicate existing trees and shrubs to be retained; trees to be felled; the planting of new trees, shrubs and grass; and screening and paving. Preference should be given to the use of native trees and shrubs;
- c) wildlife corridors shall be established in accordance with Policy 75, wherever opportunities occur.

## **GREEN SPACE WITHIN SETTLEMENTS**

8.20 Urban green space consists of all open land, irrespective of ownership, which supports trees and other plants in built-up areas. Not only does it include parks, playing fields and allotments, but also verges, "waste" land about railways and public utilities, and the private gardens of residents.

8.21 Green space softens the harsh impact of developed areas and provides a foil which links buildings of varying style and scale. From a broader viewpoint, it can help define the character of an area. It can indicate valleys, ridges and areas of historic growth and separate areas of incompatible use.

8.22 Another important role of urban green space is that of providing wildlife habitats. However, this depends on the existence of green chains or wildlife corridors linking to surrounding countryside and permitting the movement and replenishment of species. Watercourses and ancient tracks or 'green lanes' are examples of green chains.

8.23 The effectiveness of Green Belt policy is placing greater pressure on undeveloped or underdeveloped land in urban areas. It is important that the full role of any urban green space is considered when planning applications are determined.



### POLICY 83 IMPACT OF ROAD TRAFFIC NOISE ON HOUSING

Planning permission will not normally be granted for development which fails to meet the following criteria:

- (i) the housing layout, landscaping and acoustic screening shall be designed so that a reasonable part of the garden of each dwelling is not subject to a noise level above 65 dB (A) on the L10 18 hours (6 am. - midnight) scale. (The L10 index represents the sound level which is exceeded for 10% of the time);
- (ii) if in existing built-up areas practical or economic problems make it impossible to achieve (i) above, then the tolerable limit of 68 dB (A) using the L10 index on the 18 hour scale may be accepted;
- (iii) all dwellings shall be designed to achieve an internal noise level not exceeding 40 dB (A) on the L10 index.

Where appropriate, planning conditions will be imposed to restrict noise to specified levels.

#### *Footnote*

- (1) Parts of private gardens exceeding the noise levels set out in criterion (i) above shall not be taken into account in assessing proposals against Policy 70 (a).

### FLOODING AND RIVER CATCHMENT MANAGEMENT

8.42 All planning applications for development likely to affect the well-being of the river catchment will be subject to consultation with the National Rivers Authority. The interests of the National Rivers Authority are set out in the Town and Country Planning Liaison Document. Applications will also be considered in the light of Policy 106 (Nature Conservation). In certain instances Policies 74 and 75 may also apply.

### POLICY 84 FLOODING AND RIVER CATCHMENT MANAGEMENT

The Council will consult with the National Rivers Authority on all matters likely to affect the water environment in order to reduce the risk of flooding and to ensure proper management of the river catchment. The following principles will apply:

- (i) in areas liable to flood, development or the intensification of existing development, will not normally be permitted. Appropriate flood protection will generally be required where the redevelopment of existing developed areas is permitted in areas at risk from flooding;
- (ii) where appropriate, a condition will be attached to planning permissions to ensure that strips are provided alongside 'main river' watercourses and kept free of development in order to allow access for dredging and discretionary maintenance;
- (iii) all works in, under, over and adjacent to watercourses shall be appropriately designed and implemented and alternatives to culverting should be explored where possible;
- (iv) proposals shall not increase flood risk in areas downstream due to additional surface water runoff. If development is permitted, it must include appropriate surface water runoff control measures.

#### *Footnote*

- (1) 'Main river' refers to those rivers which have been designated by the Minister as such. They are the more important watercourses and are shown on the statutory 'Main River' Maps which accompany the Land Drainage Act 1976.

### DRAINAGE INFRASTRUCTURE

8.43 The provision of drainage facilities as part of the overall construction of infrastructure in major development schemes is material to the planning process. In some cases the implementation of drainage provision will need to be phased. The assessment of sewerage capacity may need to form part of the

planning submission and the subsequent grant of permission may require drainage obligations to accompany development works. Any proposals will need to be acceptable to Thames Water Utilities Ltd, who are responsible for sewage disposal, and the National Rivers Authority.

### **POLICY 84A DRAINAGE INFRASTRUCTURE**

The Council will consult Thames Water Utilities Ltd, and the National Rivers Authority on all planning applications that might cause sewerage flooding. The following principles will apply:

- (i) planning permission will not normally be granted for new development in areas which are considered presently at risk of sewerage flooding; or where development would result in an unacceptable increase in sewerage flood risk there or elsewhere;
- (ii) a detailed drainage impact study may be required at the planning application stage;
- (iii) where planning permission is granted, it may be subject to a condition or agreement relating to the approval of a drainage strategy, which may include phasing of the development.

### **HAZARDOUS INSTALLATIONS**

8.44 New procedures have been brought into force by the Planning (Hazardous Substances) Act 1990 and the Regulations made under that Act. The Act requires hazardous substances consent to be obtained from the Local Planning Authority for the presence of hazardous substances at or above specified amounts.

8.45 Where the proposed storage or use of a hazardous substance is associated with a development proposal, planning permission as well as hazardous substances consent will be necessary. The Local Planning Authority will consult the Health and Safety Executive (HSE) on each application for hazardous substances consent.

8.46 Certain sites and pipelines are designated by HSE as notifiable installations by virtue of the quantities of hazardous substances stored or used. The siting of such installations is subject to planning controls aimed at keeping these separated from housing and other land use

with which such installations might be incompatible from the safety viewpoint. To this end, the District Council will seek the advice of the HSE on the suitability of that development in relation to the risks that the notifiable installation might pose to the surrounding population.

8.47 St. Albans District already contains a number of installations handling notifiable substances, including high pressure natural gas transmission pipelines. Whilst they are subject to stringent controls under existing health and safety legislation, it is considered prudent to control the types of development permitted in the vicinity of these installations. For this reason, the Council has been advised by HSE of consultation distances for each of these installations. In determining whether or not to grant consent for a proposed development within these consultation distances, the Council will take account of the advice it receives from HSE about the risks to the proposed development from the notifiable installation.

8.48 Currently, the Council consults HSE about developments in the vicinity of the high pressure gas pipelines and notifiable sites set out in the policy below.

### **POLICY 84B HAZARDOUS INSTALLATIONS**

The Council will operate the planning controls to regulate the presence of hazardous substances as set out in the Planning (Hazardous Substances) Act 1990, including Regulations made thereunder, particularly the Planning (Hazardous Substances) Regulations 1992, and the advice given in Circular 11/92 (Planning Controls for Hazardous Substances).

The Council will consult the Health and Safety Executive on the siting of notifiable installations in view of the potential risks to safety. The advice of the Health and Safety Executive will also be sought on planning applications within the vicinity of British Gas Transmission Pipelines and the following notifiable sites:

REF.	P.M. <sup>(1)</sup>	LOCATION	C.D. <sup>(2)</sup>
NS.1	3	Shell UK Oil, Dunsfold, Hemel Hempstead <sup>(3)</sup>	250
NS.2	3	Hertfordshire Oil Storage, Hemel Hempstead <sup>(3)</sup>	250

## Policy Intention 16 Conservation Areas Designation

During the District Plan period, it is the intention of the District Council to keep under review the need to designate further conservation areas or to amend the boundaries of the existing areas.

## CONSERVATION AREA ENHANCEMENT

9.6 The Council has been carrying out a programme of enhancement schemes throughout the District. These have been concentrated in the conservation areas. Some schemes have benefited from financial assistance from Central Government or Hertfordshire County Council. In addition, some schemes have been carried out by Parish Councils with assistance from the District Council. For further information on enhancement schemes in St Albans City Centre and Harpenden Town Centre (see para. 15.29 and Policies 113 and 124).

## Project 8 Conservation Area Enhancement

The District Council, in consultation with amenity groups and other interested bodies, will prepare and publish proposals for enhancement of conservation areas. Where possible it is the Council's intention to financially support conservation area enhancement schemes, and where appropriate to seek financial assistance from English Heritage.

## Project 9: Policy Statements - Conservation Areas

Policy statements identifying locally listed buildings, setting out the reasons for designation, describing the character which needs to be preserved and enhanced and suggesting improvements, will be prepared for conservation areas in consultation with amenity groups and other interested bodies.

In order to identify those buildings which are not yet of sufficient special interest to qualify for inclusion in the statutory list, but which nevertheless positively contribute to the special character or appearance and historic or architectural interest of conservation areas, it is the Council's intention to update the local list to provide comprehensive cover in conservation areas.

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## Project 9 (Cont.)

New lists are being published for each conservation area as they are revised. The revised Harpenden Conservation Area Local List is already available.

## BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

9.7 The Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Secretary of State for the Environment to compile a list of buildings of special architectural or historic interest.



Sutton Road - St. Albans

9.8 Buildings are classified into three Grades: Grade I buildings are of exceptional interest, Grade II\* buildings are particularly important buildings of more than special interest, Grade II buildings are buildings of special interest which warrant every effort being made to preserve them.

9.9 Listed buildings may not be demolished, extended or altered, without first obtaining listed building consent.

## POLICY 86: BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST

- (i) In considering any application for listed building consent for the demolition, alteration or extension of a listed building (and also any application for planning permission for development which affects a listed building or its setting), the Council will have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses;
- (ii) listed buildings should be preserved unless exceptional circumstances exist and consent to demolish will be given only where every effort has been made to continue the present use or find alternative uses and where there are also acceptable and detailed plans for redevelopment (see also Policy 85);
- (iii) applications will also be assessed against the following and the guidance in Appendix IV of the Department of the Environment Circular 8/87 for executive Government advice:
  - a) ~~alterations involving the removal, obliteration or encasing of internal or external features~~ which are of architectural or historic interest, or involving detriment to their context or integrity, will not be permitted in the absence of exceptional circumstances;
  - b) ~~alterations involving the addition of new features (including openings)~~ which would be detrimental to the internal or external character or appearance of the building, or to the context of features or interest, will be permitted only in exceptional circumstances;
  - c) ~~removal of features with intrinsic interest and their replacement with replicas~~ will not be permitted unless the original is incapable of repair;
  - d) ~~replacement of historic windows~~ with those of a different style, material, method of opening or detailing will not be permitted unless the windows sought to be inserted are of a more historically correct and appropriate pattern than the existing windows and would enhance the building;
  - e) ~~painting or covering of the exterior or interior~~ will not be permitted where it would obliterate features of interest, alter the proportions or balance of a building or group, make unsuitable emphasis of features, or be inappropriate or detrimental in terms of chemical composition, colour or texture;
  - f) ~~cleaning methods such as sand blasting or chemical cleaning~~ which would damage the fabric or would be detrimental to its appearance or interest will not be permitted;
  - g) ~~extensions or new curtilage buildings~~ which dominate or mask the form or appearance of the original, unbalance or otherwise detract from the listed building by reason of their scale, materials, siting or design, or conceal, obliterate or require removal of important features of the listed building will not be permitted in the absence of exceptional circumstances;
  - h) ~~skylights and dormers~~ will not normally be permitted on front or main elevations; they may be permitted to the rear or on side elevations provided that they do not harm the character or appearance of the building.

### Policy Intention 17 Listing of Buildings and Building Preservation Notices

The District Council will inform the Department of the Environment of buildings which it considers may be worthy of inclusion in the statutory list under Section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Alternatively, Building Preservation Notices will be

served under Section 3 in respect of threatened unlisted buildings considered to be of special architectural or historic interest. Such a notice will have the effect of listing a building for six months or until the Secretary of State confirms or discontinues the listing.

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continue

**POLICY 96 (Cont.)**

- (iv) **Water Sports:** In order to meet the need for outdoor watersports, opportunities to create new water features shall be investigated (e.g. as part of aftercare schemes for aggregate workings).

10.24 One of the most popular leisure activities is the enjoyment of the countryside and its scenery. The footpath, cycleway and bridleway systems give access to many of the rural areas of the District. They are assets which could be vulnerable to development of inappropriate uses on adjoining land. Many routes are classified as definitive rights of way, which means that development cannot take place across them unless provision to divert or stop up the route is obtained under the Town and Country Planning Act.

10.25 Three disused railway lines run through the District:

- (i) the former Luton-Woburn (Marston City) line, parts of which have been incorporated into the Lee Valley Walk from London to Luton;
- (ii) the former Harpenden-Hatfield Hempsstead line, which has now become the Nicky Line footpath/cycleway;
- (iii) the former St. Albans-Hatfield line, which is now the Alban Way footpath/cycleway.

In addition to their recreational value, the disused railway lines are also important as landscape features and wildlife habitats. The Nicky Line and Alban Way are non-definitive rights of way, but are in Council ownership. Part of the Lee Valley Walk is also in Council ownership and some stretches of this walk are definitive rights of way. The disused railway lines and the Lee Valley Walk should be retained and their future role considered under Policy Intention 23.

**POLICY 97  
EXISTING FOOTPATHS,  
BRIDLEWAYS AND  
CYCLEWAYS**

The District Council will resist applications for development which would result in the loss of definitive rights of way, the non-definitive stretches of the Lee Valley Walk, or the Nicky Line or Alban Way footpath/cycleways. A diversion of the western end of the Alban Way may be necessary (see Policy 29).

**POLICY 97 (Cont.)**

Elsewhere, permanent diversions will be acceptable only if they compare favourably with the original route in terms of distance, gradients, ground conditions and amenity. The Council will resist any development which could endanger users of footpaths, bridleways or cycleways.

10.26 The existing bridleway system cannot cope with the increasing numbers who wish to use it. The result is that there is much illegal use of footpaths by riders and also trespass on land adjacent to bridleways. Routes are rarely circular. Therefore, users often have to retrace their steps to use busy roads as a return route to their starting point. In addition, routes often miss scenic viewpoints or other items of recreational interest.

10.27 Much has and is being done to improve facilities for walkers, cyclists and horse riders. Grants are available from the Countryside Commission for the creation of new routes, improvement works and also for publication of footpath and bridleway guides. The Wildlife and Countryside Act of 1981 also allows the Council to enter into management agreements with landowners to provide small scale facilities such as car parks linked to footpaths. Additional routes have been created by voluntary groups and the Countryside Management Service. Resurfacing works have been carried out on certain bridleways to increase their durability.

**Policy Intention 23  
Improvements to Footpaths,  
Bridleways  
and Cycle Routes**

The District Council, in conjunction with the Countryside Management Service and using existing routes wherever possible, will promote:

- (i) the establishment of a network of short waymarked circular footpath routes close to towns and villages;
- (ii) the provision of longer distance waymarked footpaths and bridleways linking places of interest and including facilities such as small car parks;
- (iii) a new footpath following the line of the River Colne (see Chapter 20, Upper Colne Valley);
- (iv) the establishment of signposted circular routes for cyclists using existing cycleways and quiet lanes.

Continued on page 148



Allotments Act 1925. This prevents their removal without extensive consultation and consent from the Department of the Environment. During the Plan period, allotments are likely to be lost to development at Folly Lane, St Albans; White Horse Lane, London Colney and Harpenden Lodge. However, during the same period the Council will consider the need for new allotments at Jersey Farm and extra allotments at Hill End. As part of its Leisure Strategy the Council aims to encourage greater use of allotments. In order to better relate supply to local demand, consideration will be given to the possible redistribution of plots involving losses at some sites and gains at others.

### **POLICY 95 ALLOTMENTS**

The District Council will refuse planning applications which involve the loss of statutory or non-statutory allotments unless it can be shown that:

- (i) suitable replacement allotments are to be provided; or
- (ii) there is no need for the allotments, taking into account current and previous usage of the site and any others in the vicinity.

## **COUNTRYSIDE RECREATION**

10.22 There are a number of leisure activities which are particularly associated with the countryside. Some are more compatible with the environment than others. The general locational criteria for different types of leisure use have been given in Policy 91. The Countryside Chapter gives further policies relating to the siting of leisure uses outside the urban areas. Landscape Conservation Areas and a Landscape Development Area are identified and the role of Countryside Management in resolving conflicts between recreational and other uses is outlined. Chapter 20 proposes new leisure uses for land in the Upper Colne Valley area, where there is opportunity to accommodate recreational facilities and to enhance the landscape.

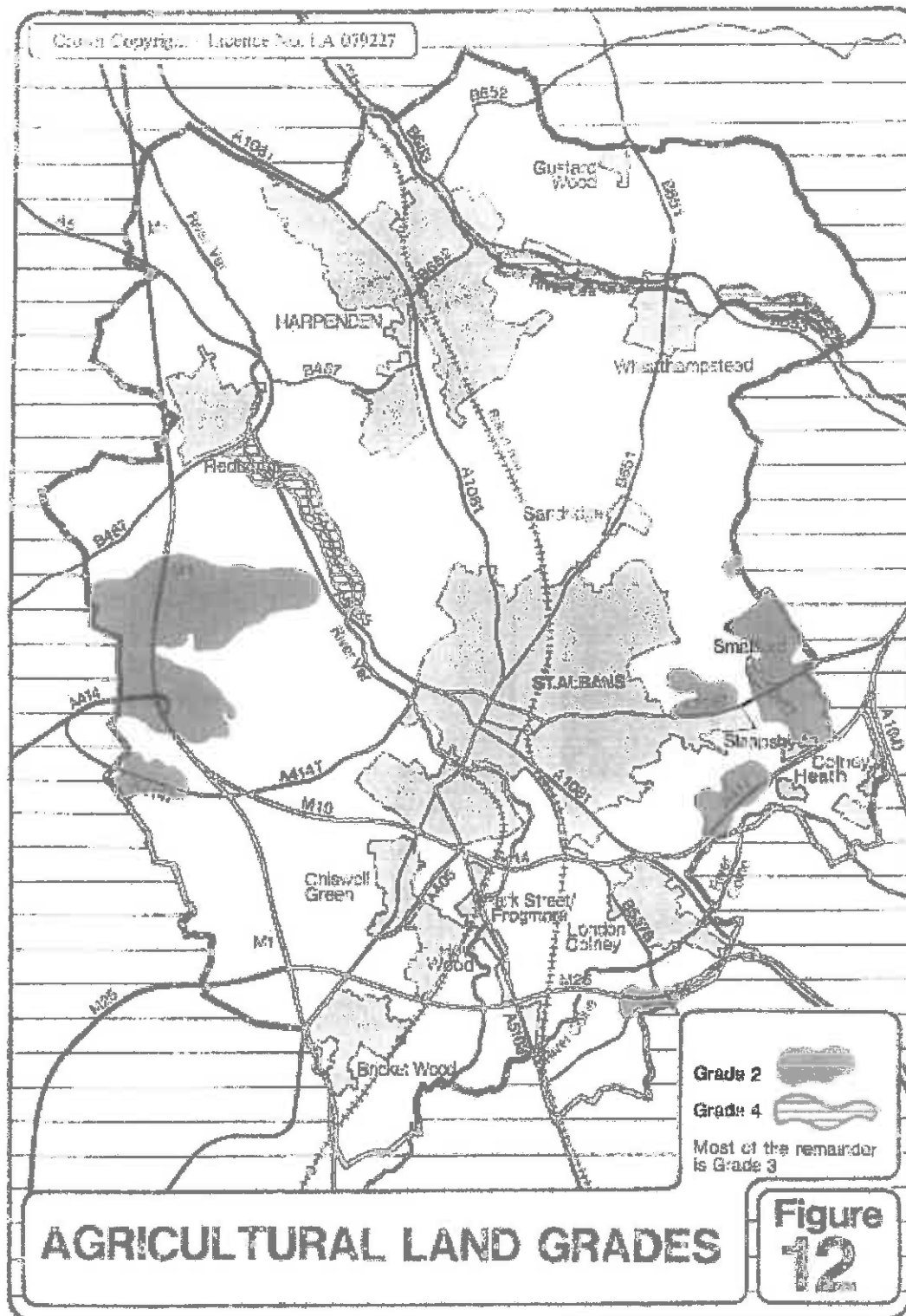
10.23 The following policy supplements Policy 91 by providing additional guidance on medium intensity leisure uses in the Green Belt

### **POLICY 96 MEDIUM INTENSITY LEISURE USES IN THE GREEN BELT**

Medium intensity leisure uses in the Green Belt will normally be restricted to "Type B" uses (see paragraph 10.4 (ii)) and areas other than Landscape Conservation Areas (see Policy 104 and Figure 1-5). Within Landscape Conservation Areas, Type B uses will normally be permitted if they conform to Policy 104. Where possible, redundant land and buildings should be used.

In very special circumstances, permission may be granted for the construction of small ancillary buildings, unobtrusive spectator accommodation, or other essential facilities. Access arrangements must be consistent with Policy 34, particularly point (vii) concerning local rural roads. In addition, the following criteria also apply:

- (i) **Golf Courses:** these shall respect existing landform, landscape and habitats. Provision shall be made for new planting and habitat creation, and wherever possible new safe routes shall be created which increase public access to the countryside. Planning applications should be accompanied by a feasibility report on the environmental impact and accommodation requirements of the proposal, so that the type, scale and particular needs of the proposal can be assessed against Green Belt objectives. Golf courses permitted shall be subject to conditions controlling the layout of the course and stating that planning permission will be required for any amendment to the course layout;
- (ii) **Riding Stables:** in order to minimise conflicts between riders and other road users, stables should be located close to existing bridleways or include off-road routes over which the proprietor has control;
- (iii) **Motor Sports and other Noisy Recreational Activities:** activities such as motor sports, motorbike scrambling, clay pigeon shooting and war games shall be located with special care. Proposals shall not be visually intrusive, detrimental to the amenity of residential property, impinge upon ecologically sensitive areas or present a hazard to the users of highways, public rights of way or cycleways;



## 12.0 COUNTRYSIDE

### INTRODUCTION

12.1 The Council is required to have regard to the desirability of conserving the natural beauty and identity of the countryside (Countryside Act 1968, Section 11). The countryside throughout the District is designated Metropolitan Green Belt. Green Belt policy (see Policy 1) is the primary means of retaining the "openness" of rural areas and the use of the land for agriculture, forestry, recreation and wildlife conservation. This chapter details policies to protect and enhance country landscapes and ecology and to maintain the rural economy in the face of increasing development pressures.



Lake at Bricket Wood Sports Centre

### AGRICULTURE

12.2 During the Plan period up to 1996 the greatest changes to the countryside will arise from the need to reduce agricultural production. Planning Policy Guidance Note PPG 7, "The Countryside and the Rural Economy" states that it is the Government's policy that the countryside should be safeguarded for its own sake. However, the PPG stresses that the best and most versatile land (Grades 1, 2 and 3a) is a national resource for the future and that considerable weight should be given to safeguarding such land against development, because of its special importance.

12.3 There are areas of Grade 2 agricultural land in the District and these are shown on Figure 12. The remaining farmland is mainly Grade 3, but the Ministry of Agriculture, Fisheries and Food (MAFF) has not published details of the subdivision between Grades 3a and 3b. The Council can ask advice of

MAFF and the County Council on agricultural land quality.

12.4 The following policy takes account of the above points and County Structure Plan Policy 8:

#### **POLICY 102 LOSS OF AGRICULTURAL LAND**

Development which would result in the loss of agricultural land will be assessed against the following criteria:

- (i) **Land Quality:** development resulting in the loss of high quality agricultural land, classified by the Ministry of Agriculture as being of Grade 1, 2 or 3a, will normally be refused. An exception to the policy may be made if there is an overriding need for the development and there is no alternative land of a lower quality which could reasonably be used;
- (ii) **Farm Economics and Management:** where appropriate, the loss of agricultural land will be assessed against its effect on the integrity and viability of a farm holding.

Planning applications for the development of agricultural land must be accompanied by an assessment of the agricultural gradings of the land made by the Ministry of Agriculture, or an independent expert approved by the Council.

The re-use of farm buildings will be governed by Policy 77 (Re-use and adaptation of buildings in the Green Belt) and Policy 89 (New uses for historic agricultural buildings).

### HORSE GRAZING

12.5 The keeping of horses for leisure purposes is increasing and leading to the subdivision of agricultural land into small plots under separate ownership or tenure. More intensive grazing soon leads to a downgrading of pasture and a demand for new buildings to provide shelter and storage space. This can erode the visual amenity of the countryside.

**Countryside Management Area** In the urban area and on the urban fringe, the service's work is complemented by the Hertfordshire Groundwork Trust. This organisation (funded by the County Council, Countryside Commission, some Districts and sponsorship) concentrates on environmental improvement projects and campaigns. The activities of the two organisations are an important means of realising and implementing the countryside policies which follow in this chapter.

### Policy Intention 25 Countryside Management Service

The District Council will continue to support the Countryside Management Service and its work in the District whilst resources permit.

## LANDSCAPE CONSERVATION

12.15 Areas of County or regional landscape importance, identified as "Landscape Conservation Areas" in Policy 6 of the County Structure Plan are defined on the Proposals Map. In order to preserve and enhance these areas special development control considerations apply in addition to the general Green Belt restraint policy.



*Coleman Green and Wheathampstead - Landscape Conservation Area*

12.16 Much of the Upper Lea Valley, north of Harpenden, together with land around Wheathampstead and a tract to the south-west between the built-up areas of Harpenden and St Albans, is defined as a Landscape Conservation Area (see Figure 12.1). This extends the area identified on the County Structure Plan Key Diagram to link up with similarly

designated land in the adjoining Districts to the north and to include the high quality landscape areas around Childwickbury and Gorbunbury. A small wedge of land has also been defined south of Colney Heath. This forms part of the Slender Ridge Landscape Conservation Area, most of which lies outside the District boundaries.

### POLICY 104 LANDSCAPE CONSERVATION

The Council will seek to preserve and enhance the quality of landscape throughout the District.

The following landscape conservation areas are partly within the District as shown on the Proposals Map:

#### LANDSCAPE CONSERVATION AREAS

REF.	PROPOSALS MAP SHEET	LOCATION
LCA.1	1,2,3	Upper Lea Valley, Childwickbury and Gorbunbury
LCA.2	4	Slender Ridge

In these areas, the Council will not grant permission for any development that would adversely affect the high landscape quality. Permission will be granted only for development proposals which pay regard to the siting, siting, design and external appearance. Landscape improvements will normally be required when development is permitted.

12.17 The Landscape Conservation Area boundary coincides with the inner boundary of the Green Belt around Wheathampstead and along most of the northern and eastern edges of Harpenden. In 1993, the Local Plan Inspector's Report on this Plan expressed concern that some areas adjoining existing settlements might not be of sufficiently high landscape quality to justify being included within the Landscape Conservation Area. The Inspector therefore recommended that the Landscape Conservation Area boundaries should be reviewed and re-drawn to include only broad tracts of landscape which are of regional and County value.





## Project 12B Review of Landscape Conservation Area Boundaries

The District Council will review the Landscape Conservation area boundaries defined in Policy 104 and, if necessary, will redraw the boundaries in the next local plan in order to exclude any areas that are not of regional or County landscape value.

## LANDSCAPE CHANGE

12.18 Farmers may carry out a wide range of operations which can reduce the quality of rural landscapes, but which are not subject to planning control. These include the construction of buildings such as silos and barns, the grubbing out of hedgerows and trees and the filling in of ponds. Under an agreed 'Code of Practice on Landscape Change', prior discussions between the farmers or landowners and the Council could result in proposals which meet modern agricultural needs and are sympathetic to the landscape.

### Policy Intention 26 Code of Practice on Landscape Change

The District Council will explore the possibilities of implementing a District-wide 'Code of Practice on Landscape Change', but with priority being given to the landscape conservation areas.

## LANDSCAPE DEVELOPMENT

12.19 The County Structure Plan expresses concern that significant visual and environmental problems are accumulating in many valuable parts of the Green Belt, especially along the main communication corridors and around the urban fringes. These areas are in need of attention. Structure Plan Policy 7 therefore seeks to guide long-term change, secure renewal, improvement and management of landscapes, and create new landscapes. Priority is to be given generally to the urban fringe, particularly to the areas defined as Landscape Development Areas on the Key Diagram. Landscape Development Area boundaries are to be defined in District Local Plans.

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12.20 Although much of the District's Green Belt countryside is pleasant, the western fringes along the M1 corridor (*see Policy Intention 4*) and the Upper Colne Valley to the south (*see Policy 143*) contain areas of unattractive or damaged landscapes. This whole area is shown as a Landscape Development Area on the Structure Plan Key Diagram in order to encourage a comprehensive approach.

12.21 Whilst supporting the County Council's landscape action programme for landscape conservation and enhancement wherever it is applied, the Council will give priority to landscape improvement in the landscape development area (*see Figure 14*). Similarly, leisure and tourist developments appropriate to the Green Belt can bring about landscape improvement and should be channelled to those areas with the worst environmental problems.



Redhears - Landscape Development Area

### POLICY 105 LANDSCAPE DEVELOPMENT AND IMPROVEMENT

The District Council will promote and seek to secure landscape creation, improvement and enhancement throughout the Green Belt countryside. Priority will be given generally to the urban fringe and particularly to the Landscape Development Area shown on the Proposals Map (Sheets 1, 3, 4, 1, and F). Leisure and tourist developments appropriate to the Green Belt will be encouraged if proposals will enhance the quality and appearance of the Landscape Development Area (*see Policies 91, 96, 99, 101, 106, 143 and 143A*).

## NATURE CONSERVATION

12.22 The principal aim of nature conservation is the protection and enhancement of the characteristic plants, animals and physical features which make up the natural heritage. DoD Circular 27/87 provides precise guidelines regarding conservation for local authorities in their planning, land management and educational functions. In 1988 the Council adopted a "Nature Conservation Strategy for the City and District of St. Albans" and Hertfordshire County Council together with the Nature Conservancy Council is preparing a County Nature Conservation study. The rest of this chapter deals with aspects of nature conservation which apply to statutory planning matters.

12.23 Whilst there are no truly wild areas in the District, there are areas which have been modified by man's activities over the centuries and form semi-natural habitats. These include woodlands, meadows, heaths and marshlands. The quality and diversity of such areas has been reduced in the last 50 years through more intensive farming and forest development. Without positive action, further irreversible losses are likely to take place.

12.24 Surveys of habitats and species carried out by the Museum of St. Albans and the County Environmental Records Centre have been used to identify sites of special ecological importance. The following categories have been identified:

- (i) Ancient Semi-Natural Woodlands  
Woodlands which have had a continuous cover of trees and other plants since at least 1600 AD, neither having been cleared nor extensively replanted since then;
- (ii) Pre-enclosure Hedgerows  
Hedgerows planted before the land enclosures of the eighteenth century are generally composed of some 5 or 6 shrub/ tree species and form rich wildlife habitats;
- (iii) Heathlands  
Areas of acidic soil with a dominant heather flora;
- (iv) Unimproved Semi-Natural Grasslands  
Pastures which have neither been ploughed nor treated with fertiliser or herbicides;
- (v) Wetlands  
Ponds, lakes, streams, rivers, marshes, water meadows and fens.

Some of these sites may also contain important geological material.

12.25 Statutory protection is given to Sites of Special Scientific Interest (SSSIs), notified under Section 28 of the Wildlife and Countryside Act 1981; there are two in the District. There are no National Nature Reserves or Local Nature Reserves. However, two sites are managed by the Herts and Middlesex Wildlife Trust as nature reserves. Several sites have been suggested as local nature reserves and the possibility of designating sites in the District needs to be studied.

### Project 13 Local Nature Reserves

The Council will investigate the suitability of designating one or more sites of special ecological importance as local nature reserves.

12.26 When determining planning applications on or near sites of ecological importance, consideration will be given to the likely ecological impact of proposals. Habitat will be monitored by the County Environmental Records Centre. Where there appears to be harmful development which does not require planning permission, the Council will consider the use of its Article 4 direction (see para. A.15) to bring it under control.

12.27 Fortunately, the natural heritage is not limited to the natural or semi-natural areas. Even where man has destroyed or radically altered the natural environment, animals and plants, including species protected by law, may move in and colonise new habitats. This means that consideration must be given to ecological matters when determining planning applications regardless of their location. Environmental assessments may be required for certain development proposals in accordance with the U.K. regulations relating to the European Directive.

12.28 Other sites of regional geological or geomorphological (i.e. landform) importance are being identified through the RIGS scheme, promoted by English Nature. Such sites are to be given recognition similar to that accorded to sites of national historic importance.

### Policy Intention 26A Regionally Important Geological/ Geomorphological Sites

The District Council will continue to support the work of the Hertfordshire RIGS group in selecting Regionally Important Geological/Glomorphological Sites for conservation.



## POLICY 106: NATURE CONSERVATION

The Council will take account of ecological factors when considering planning applications and will refuse proposals which could adversely affect:

### (i) Sites of Special Scientific Interest

REF.	PM <sup>(1)</sup>	LOCATION
SSSL1	3	Bricket Wood Common
SSSL2	3	Moor Mill Quarry

### (ii) Nature Reserves

REF.	PM <sup>(1)</sup>	LOCATION
NR.1	2	Marshall's Heath, Wheatthorpe
NR.2	L	Broad Colney Lakes, London Colney

(iii) other sites of wildlife, geological or geomorphological importance;

(iv) any site supporting species protected by the Wildlife and Countryside Act 1981;

(v) the natural regime of either surface or ground waters in river valleys and their wetlands.

If planning permission is granted for development which could affect a site of conservation interest, it will normally be subject to conditions aimed at protecting the special features of the site. The Council will also seek a Section 106 Agreement to ensure the appropriate management of the site.

#### Footnote

(1) PM = Proposals Map Sheet - see Preface (Figure 1).

## THE RIVERS VER, LEA AND COLNE

12.29 The abstraction of water from the aquifer feeding the River Ver led to a lowering of the water table. North of Redbourn, the length of the river within the District became dry for most of the year. This brought about the loss of several wetland habitats. The Council, together with voluntary groups, was anxious to see the restoration of the river and the enhancement of the associated landscapes. Discussions took place with the National Rivers Authority. A new pipeline has now been constructed from Grafton Water, in Cambridgeshire, to Luton, and the Friars Well Pumping Station on the River Ver, will in future be used only in times of drought. As a

result, water flow in the River Ver has improved considerably. The Council also seeks to ensure that the Rivers Lea and Colne are not adversely affected by any future proposals for water abstraction.

## Policy Intention 27 The Rivers Ver, Lea and Colne

The Council will continue to press the National Rivers Authority to ensure that the flow of the Rivers Ver, Lea and Colne is maintained at an acceptable level.

## HABITAT CREATION AND MANAGEMENT

12.30 The District Council recognises the value of nature conservation particularly for education and community benefits. The majority of the County's semi-natural habitats have been lost this century. It is important to create new habitats for wildlife and with forethought this can be achieved as an integral part of modern development and land use. Creation of new habitats and protection of those existing, will achieve little unless sites are properly maintained through appropriate management. The Council will, therefore, encourage habitat creation whenever the opportunity arises and will promote sympathetic management of wildlife habitats.

## Policy Intention 28 Wildlife Habitat Creation and Management

The District Council will encourage the creation of wildlife habitats and promote the enhancement of sites through sympathetic management.



River Lea at Harpenden

### POLICY 111 (Cont.)

normally refuse planning applications on archaeological grounds. However, following evaluation, planning permissions may be subjected to a condition requiring facilities for the Council to record remains by excavation in advance of construction and/or during construction. The evaluation, which may involve limited excavation or other work (eg. geophysical survey), is to be carried out by the Council or an archaeologist approved by the Council.

Voluntary agreements will be sought (e.g. under Section 166) to cover the cost of work, including any initial evaluation, and to ensure that finds made during the course of such work are donated to the Council.

#### LIST OF ARCHAEOLOGICAL SITES WHICH MAY BE SUBJECT TO A RECORDING CONDITION

SITE REF.	PROPOSALS MAP SHEET	LOCATION
AS.R.1	1	Cropmarks, near Friars Walk, Redbourn
AS.R.2	1	Area around Roman Mambocton, Rothamsted
AS.R.3	1	Medieval Manor, Rothamsted
AS.R.4	1	Medieval Manor, Harpendenbury
AS.R.5	1	Saxon and Medieval Village, Redbourn
AS.R.6	1	Area around the Aubrey, Redbourn
AS.R.7	1	Cropmarks, Beckett Hall, Redbourn
AS.R.8	1	Medieval Manor, Redbournbury
AS.R.9	1	Earthwork Enclosure, Redbournbury/Childwickbury
AS.R.10	1&2	Roman and Medieval site, Thane's Wood, Mad Lane, Harpenden
AS.R.11	2	Roman and Medieval site, Cleppers Wood, Ayres End Lane, Harpenden
AS.R.12	2	Prehistoric Ring Ditch (Cropmark), Bride Hall Lane
AS.R.13	2	Cropmark, Bladderwood
AS.R.14	2	Area around Belgic Oppidum and Cropmarks north of River Lea, Wheatthorpe Road
AS.R.15	2	Saxon and Medieval Village, Wheatthorpe Road
AS.R.16	2	Possible Roman building and environs, Apswell
AS.R.17	2	Prehistoric and Saxon finds, Nonsandford Common
AS.R.18	2	Cropmark, Sandridgebury
AS.R.19	2	Saxon and Medieval Village, Sandridge
AS.R.20	2&4	Area of Roman finds, Porters Wood, Sandridge
AS.R.21	3	Cropmark, Eastern Farm
AS.R.22	3	Cropmark, Old Jeromes
AS.R.23	3	Area around Verulamium
AS.R.24	3&4	Area around Beech Bottom, St. Albans
AS.R.25	3&5	St. Albans - including Saxon Kingsbury, the Saxon and Medieval town and Sopwell Nunnery
AS.R.26	3	Medieval Village site, Westwick
AS.R.27	3	Cropmarks and Medieval village site, Windridge
AS.R.28	3	Cropmarks, Westfield Farm
AS.R.29	3	Area of Roman occupation, Potterscrunch
AS.R.30	3	Earthworks, St. Julian's Wood
AS.R.31	3	Cropmarks of Enclosures, Pinckney Farm
AS.R.32	3	Medieval Manor and Deserted Village, Hurston Manor

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continue

### POLICY 110 ARCHAEOLOGICAL SITES FOR LOCAL PRESERVATION

Planning permission will not be granted for development which would adversely affect the remains within, or the character of, the sites for local preservation as defined on the Proposals Map and listed below. Development may be permitted in exceptional circumstances, following evaluation, if the Council is satisfied that important remains would not be destroyed or the character of the site adversely affected. The evaluation, which may involve limited excavation or other work (eg. geophysical survey) is to be carried out by the Council or an archaeologist approved by the Council. Planning permissions will normally be subject to conditions requiring facilities for the Council to record remains by excavation in advance of construction and/or during construction.

Voluntary agreements will be sought (e.g. under Section 106) to cover the cost of work, including any initial evaluation, and to ensure that finds made during the course of such work are donated to the Council. Voluntary agreements will also be sought to ensure the continued preservation and management of important remains.

#### LIST OF ARCHAEOLOGICAL SITES FOR LOCAL PRESERVATION

SITE REF.	PROPOSALS MAP SHEET	LOCATION (Parish given where appropriate)
ASLP1	1	Roman Site, Friars Walk, Redbourn
ASLP2	1&3	Roman Villa, Childwickbury, St. Michael
ASLP3	2	Belgic Occupation Area, Wheathampstead
ASLP4	2	Enclosure and Ring Ditch, Northmoorland Common, Wheathampstead
ASLP5	3	Land adjacent to Hatch Ward marked memorial site, St. Michael
ASLP6	3	Three Excavations, Gorbunbury/Battlers Farm, St. Michael
ASLP7	3	Roman Occupation Area, North of Verulamium, St. Albans
ASLP8	3	Belgic Occupation Area, East of Free Wood, St. Albans/St. Michael
ASLP9	3	Roman Kilns, Spring Creek, St. Stephen
ASLP11	5	Abbey Precincts, St. Albans

### ARCHAEOLOGICAL SITES SUBJECT TO A RECORDING CONDITION

14.5 Preservation is not essential in other Areas of Archaeological significance. However, it is often crucial that a record of the area be made, normally by excavation, in advance of or during development. Where development is permitted in these areas the following policy will apply:

### POLICY 111 ARCHAEOLOGICAL SITES WHERE PLANNING PERMISSIONS MAY BE SUBJECT TO A RECORDING CONDITION

Within the sites listed below and defined on the Proposals Map, the District Council will not

Continued on page 166

#### 4 - Promoting sustainable travel

Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel (Paragraph 29);

All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (Paragraph 32)

#### 7 – Requiring Good Design

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people (Paragraph 56);

It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes (Paragraph 57);

Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive as a result of good architecture and appropriate landscaping (Paragraph 58)

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 (Paragraph 72)

Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required (Paragraph 73).

## 9 – Protecting Green Belt Land

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 (Paragraph 79)

Green Belt serves five purposes:

- 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 (Paragraph 80)

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).

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)

## 10 – Meeting the challenge of climate change, flood and coastal change

In determining planning applications, local planning authorities should expect new development to:

- comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
- take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption (Paragraph 96).

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. Local Plans should be supported by Strategic Flood Risk Assessment and develop policies to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as lead local flood authorities and internal drainage boards. Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk to people and property and manage any residual risk, taking account of the impacts of climate change, by:

- applying the Sequential Test;
- if necessary, applying the Exception Test;
- safeguarding land from development that is required for current and future flood management;
- using opportunities offered by new development to reduce the causes and impacts of flooding; and
- where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to facilitate the relocation of development, including housing, to more sustainable locations (Paragraph 100).

The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. 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. The Strategic Flood Risk Assessment will provide the basis for applying this test. A sequential approach should be used in areas known to be at risk from any form of flooding (Paragraph 101).

When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment<sup>20</sup> following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
- development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems (Paragraph 103)

## 11 - Conserving and enhancing the natural environment

The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- 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 or land instability; and
- remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate (Paragraph 109).

When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity by applying the following principles:

- if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) should not normally be permitted;
- development proposals where the primary objective is to conserve or enhance biodiversity should be permitted;
- opportunities to incorporate biodiversity in and around developments should be encouraged;
- planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss (Paragraph 118);

Planning policies and decisions should aim to:

- avoid noise from 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;
- recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and
- identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason (Paragraph 123)

Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan (Paragraph 124).

By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation (Paragraph 125).

## 12 - Conserving and enhancing the historic environment

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. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation (Paragraph 128).

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal (Paragraph 129).



In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage
- assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to
- sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness (Paragraph 131).

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. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional (Paragraph 132).

# HERTFORDSHIRE COUNTY COUNCIL

## LOCAL TRANSPORT PLAN 3 VOLUME 2

### TRANSPORT POLICY DOCUMENT

**April 2011**

**Environment**  
**0300 123 4047**  
**[www.hertsdirect.org/ltp](http://www.hertsdirect.org/ltp)**



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## **Hertfordshire County Council**

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## 1. Introduction

This policy document, Volume 2 of Hertfordshire county council's LTP3, sets out the county's main transport policies. The overall strategy is explained in Volume 1 of the LTP which presents the county's approach to transport and the vision, goals and challenges that the county wishes to achieve and the reasons for it. The challenges are repeated here in part 2.2 for completeness.

The remainder of this document contains a complete compendium of the county's transport policies (known as tactical policies) which the county intends will lead to achieving the challenges of the strategy. The policies are highlighted in grey boxes with explanatory notes where appropriate. The policies which address individual challenges are listed in Appendix 1.

The policies relating to network management and management of the highway assets are included as part of the transport policies but the detailed operational policies and guidance which relate to how aspects such as highway maintenance will be implemented (for example the guidance set out in '*Roads in Hertfordshire*') are not included here.

In some instances the transport policies, for example Urban Transport Plans, Walking and Cycling, are supported by a Strategy or Plan which provide more detail on how the policy is to be implemented and on the operations envisaged. These Strategies and Plans are daughter documents to the LTP but will not all be fully developed by April 2011. A full list of the proposed LTP Daughter Documents is provided in Appendix 2.

In setting out the overall strategy towards transport in the county over the next 20 years the LTP will provide a framework not only for the county council but for all who are engaged in the development of Hertfordshire and the provision and use of the transport network.

The overall approach the county council is taking to achieve the challenges of the LTP and therefore arrive at the policies in this document is one of promoting alternative travel modes to the car and the efficient management of the network as explained in Volume 1 of the LTP. However in applying the approach and implementing the policies the county council will have to recognise certain priorities, not least the availability of funding.

In order to ensure that the county council meets its challenges and to ensure best use of available resources, a number of Highway & Transport Programmes have been developed. These are set out in detail in the Highways and Transport Programme Entry Guidance. The LTP Implementation Plan summarises the main elements of these programmes.

To ensure that the county council's vision becomes a reality over the next 20 years, focus on the strategic priorities is essential. The success of the county council in delivering these priorities will be measured against a number of indicators deriving from the National Indicator set and some locally defined measure and targets as set out in the Local Transport Plan Volume 1.

The policies contained in this policy document have been subject to appraisal under the Strategic Environmental Assessment process as described in Volume 1 of the LTP and the results assimilated into the finalised document. Policies will be reviewed during the plan period as appropriate in the light of changing circumstances and the programmes for development will be reviewed annually as part of the Implementation Plan.

## 2. Transport Approach and Challenges

### 2.1 Hertfordshire's Approach to Transport

The third Local Transport Plan marks a shift in approach for the county council. The key transport issues in Hertfordshire remain the same: tackling peak-time congestion, maintaining roads, reducing casualties, supporting economic growth and maintaining access to key services. However the prospect of higher demand and fewer resources, plus the need to address climate change, has meant that we need to look for different ways to meet these challenges.

This plan will see less emphasis than the original LTP2 on building new roads, or making major changes to existing roads, instead placing a much higher priority on making better use of the existing network.

A key element of the plan is "intelligent transport systems". Measures such as optimising traffic signals and providing real-time information will help network managers and motorists make the best use of our roads. The same systems will provide up-to-the-minute information on buses and trains, encouraging motorists to consider using other forms of transport. This encouragement will be reinforced through co-ordinated programmes of travel plans for businesses, schools, railways stations and for individuals. Above all, the aim is to make everyone aware of all the travel options available and the consequences of the choice that they make.

Small scale highway improvements will be promoted to support local communities, economic regeneration and safety, with the priority given to sustainable and healthy, transport such as walking and cycling. These schemes will be identified through the continuing programme of urban transport plans developed with the local community, which are also tools to secure external funding.

Major new road schemes such as bypasses will normally only be built through external funding where new development generates significant new traffic flows. New Infrastructure will be necessary during the plan period and is essential for passenger transport improvements. The county council is presently the leading partner in the Croxley Rail Link project to link Watford town centre to the Metropolitan London Underground and is engaged in the planned major improvements to Watford Junction Interchange and the Abbey Line.

In the short term at least, it is anticipated that the transport network will look similar to today, but it will be used in a much smarter way. The travelling public will be empowered through information to make sustainable transport choices, and transport providers will be able to respond to these.

## 2.2 LTP Challenges

The county's approach to transport set out in the previous section is currently articulated through the five goals and thirteen challenges of LTP3.

The 5 goals and 13 challenges of **Local Transport Plan 3** have evolved from those previously established by the Department for Transport. The national goals and challenges were developed through consultation with local, regional, national groups and organisations, and the public and the counties have similarly been subject to wide consultation.

The Hertfordshire goals and challenges reflect:

- The **Sustainable Community Strategy** published by Hertfordshire's Local Strategic Partnership, Herts Forward, and this document contains a chapter entitled Transport and Access which included five long term objectives and 6 short term actions for transport in Hertfordshire. It will be refreshed during the lifetime of this LTP.
- The county council's **Corporate Plan 2009/12** which sets out key corporate challenges for the authority in response to a detailed evidence base and following comprehensive consultation with the public and other stakeholders.

The **5 HCC goals and 13 HCC challenges** are laid out below reflecting the priorities of Hertfordshire:

### **GOAL Support economic development and planned dwelling growth**

**Challenge 1.1** Keep the county moving through efficient management of the road network to improve journey time, reliability and resilience and manage congestion to minimise its impact on the economy.

**Challenge 1.2** Support economic growth and new housing development through delivery of transport improvements and where necessary enhancement of the network capacity.

### **GOAL - Improve transport opportunities for all and achieve behavioural change in mode choice**

**Challenge 2.1** Improve accessibility for all and particularly for non car users and the disadvantaged (disabled, elderly, low income etc).

**Challenge 2.2** Achieve behavioural change as regards choice of transport mode increasing awareness of the advantages of walking, cycling and passenger transport, and of information on facilities and services available.

**Challenge 2.3** Achieve further improvements in the provision of passenger transport (bus and rail services) to improve accessibility, punctuality, reliability and transport information in order to provide a viable alternative for car users



**GOAL Enhance the quality of life, health and the natural, built and historic environment of all Hertfordshire residents**

**Challenge 3.1** Improve journey experience for transport users in terms of comfort, regularity and reliability of service, safety concerns, ability to park and other aspects to improve access.

**Challenge 3.2** Improve the health of individuals by encouraging and enabling more physically active travel and access to recreational areas and through improving areas of poor air quality which can affect health.

**Challenge 3.3** Maintain and enhance the natural, built and historic environment managing the streetscape and improving integration and connections of streets and neighbourhoods and minimising the adverse impacts of transport on the natural environment, heritage and landscape.

**Challenge 3.4** Reduce the impact of transport noise especially in those areas where monitoring shows there to be specific problems for residents.

**GOAL Improve the safety and security of residents**

**Challenge 4.1** Improve road safety in the county reducing the risk of death and injury due to collisions.

**Challenge 4.2** Reduce crime and the fear of crime on the network to enable users of the network to travel safely and with minimum concern over safety so that accessibility is not compromised.

**GOAL Reduce transport's contribution to greenhouse gas emissions and improve its resilience.**

**Challenge 5.1** Reduce greenhouse gas emissions from transport in the county to meet government targets through the reduction in consumption of fossil fuels.

**Challenge 5.2** Design new infrastructure and the maintenance of the existing network in the light of likely future constraints and threats from changing climate, including the increasing likelihood of periods of severe weather conditions.

### 3. TRANSPORT POLICY

#### 3.1 Access to services (Accessibility and Social Inclusion)

[The LTP3 Challenges addressed by this policy statement are set out at the end of this Policy Document (**Appendix 1**)]

Accessibility in terms of local transport planning is defined (by the Department for Transport) as people being able to access key services at reasonable cost, in reasonable time and with reasonable ease. Such a standard of access by appropriate transport to the key services of health, learning, work, food shopping and leisure is important for all residents.

Accessibility is not just about the existence of transport services, but whether they are available to those who require them, whether they are acceptable in terms of comfort, whether they are affordable for those on low incomes and not in receipt of concessionary fares. For example low floor buses are essential for accessibility by wheelchairs but have limited capacity.

The county council will seek to increase the ease with which people, particularly disadvantaged groups, can access key services by sustainable modes of transport, typically walking, cycling and passenger transport, by:

- A. Working with a wide range of partners to coordinate the provision of passenger transport services and community transport in order to improve accessibility to key services. The county council will use its powers to enhance service provision through reviewing bus and rail contract specifications and will support the voluntary sector to provide transport services that improve accessibility for disadvantaged groups.
- B. Seeking to improve access to key services by improving access for pedestrians and cyclists, enhancing passenger transport infrastructure and promoting and providing adequate parking facilities for people with disabilities.
- C. Seeking to improve the accessibility of new developments through its highways' development control advice and will encourage innovation in its own services contributing to improved accessibility for disadvantaged groups
- D. Ensuring the provision of up to date and accessible transport information aimed at all disadvantaged groups and using a variety of media.
- E. Ensuring that all highway schemes seek to improve accessibility through good design, removal of unnecessary physical barriers and provision of enhancements to encourage sustainable travel.

#### Explanatory Notes

Key services in relation to improving access include health facilities, schools, community facilities, such as town centres and local parades of shops, libraries and leisure centres, parks and playgrounds, and passenger transport interchanges. Other services may be considered key in appropriate circumstances.

While this is the overall aim for the county, actions as regard access to services will focus on the needs of potentially socially excluded groups and non-car users to promote social inclusion and address the needs of disadvantaged groups. There will though, be positive benefits for the wider community from nearly all interventions in this area.

The groups currently considered a priority are:

- Elderly and Physically Disabled.
- People with learning disabilities.
- People on low incomes.
- Young people (25 years and under)
- Residents living in rural
- parts of Hertfordshire without access to a car.

The county council will seek to improve accessibility and address social exclusion in five key topic areas and will design, commission and provide appropriate information, infrastructure and transport services to meet the specific needs of identified disadvantaged groups. It should be noted that this policy includes access to services in rural areas where significant accessibility difficulties exist.

**A. Provision and co-ordination of passenger transport services and community transport.**

In support of this the county council will seek to:

i) Work with commercial operators, bus and rail, to seek to improve the quality of the existing passenger transport network (see section 3.16 of this document) making it more responsive to people's needs, more flexible and accessible, well marketed, integrated and reliable.

- Continue to raise the quality of vehicles through higher contract specifications
- Support passenger transport providers to ensure that full customer care training is made available to all staff, including those specialised elements that concern disabled customers.
- Encourage the Borough/District councils to incorporate the needs of disabled people and the mobility impaired in their provision for taxis and their policies for taxi vehicle and driver standards.
- Develop and support measures to enable disadvantaged people to access work, education and leisure.

ii) Where residents are unable to get to, or onto, existing passenger transport provision the county council will promote, develop and support a range of transport schemes that meet the needs of disadvantaged groups and residents.

- Provide advice and appropriate financial support to the voluntary sector promoting further development of community transport.
- Support the Herts Integrated Transport Partnership with the aim of providing a one-stop approach to transport for people who have a medical or social need for transport.

- Work in partnership with Borough/District councils, other local authorities, health authorities, statutory agencies, commercial bus and train operators, and the voluntary sector to develop and co-ordinate transport provision in rural areas where passenger transport provision is poor and where door to door health and social car schemes are appropriate.

#### **B. Access to Key Services**

In support of this the county council will:

- Improve the passenger transport network and supporting infrastructure through its development control function, when new developments are proposed.
- Work closely with the District/Borough councils to agree adequate parking enforcement strategies and ensure that the needs of the disabled are considered (prioritised) in all parking proposals (principally Controlled Parking Zones and Special Parking Areas) and to prevent vehicles impeding the footway.
- Consider measures that will help people to walk and cycle such as dropped kerbs, improved signage, better crossing facilities and appropriate resting facilities.

#### **C. Increase the range of services that people can reach using sustainable transport modes including taking the services to the people.**

In support of this the county council will:

- Seek to both improve transport links to services and to locate services nearer to residents.
- Promote liaison between planners and developers to ensure that residents in existing and proposed residential developments can access key services using sustainable modes of transport (using developer contributions wherever possible).
- Continue to promote accessibility schemes emerging from work with parishes and villages and consider them alongside schemes emerging from within the Urban Transport Plan and the Rural Strategy processes.
- Work with public sector partners such as Primary Care Trusts and Adult Care Services to bring services to residents

#### **D. Design and provision of information**

In support of this the county council will:

- Ensure that the provision of transport information is consistent with the needs of the wider community including disabled and mobility impaired residents, people with reading or learning difficulties, rural communities and minority groups.
- Promote and provide walking and cycling information through various media, print and electronic format.
- Work to promote and develop Travellink as a single point of access for those that do not have access to a car or cannot use passenger transport.

- Use the Intalink partnership to promote a greater availability of passenger transport information in appropriate formats such as large print, Braille and foreign languages when requested.
- Maintain a network of outlets for printed information across the county, e.g. one-stop shops, libraries and council offices and work with local groups where they are able to assist in the local distribution of information.

#### **E. Highway design**

In support of this the county council will:

- Continue to support an Accessibility Steering Group and the Transport Issues for Disabled People Group which advises the county council on best practice and the implementation of this policy.
- Use the design standards for highway improvements detailed in its document 'Roads in Hertfordshire.'
- Seek to reduce the amount of obstructive street furniture on new highway schemes and existing pedestrian thoroughfares.

#### **Bibliography**

- NWCE (2007) *Providing Transport in Partnership – a guide for health agencies and local authorities*
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- Government Office for the East of England. (Dec 2006) *Regional Transport Strategy in East of England Plan*.

## 3.2 Airports

[The LTP3 Challenges addressed by this policy statement are set out at the end of this Policy Document (**Appendix 1**)]

Hertfordshire has two major civil airports immediately over its borders, Stansted and London Luton, plus Heathrow a relatively short distance to the south-west. Passenger flows are particularly heavy on the related radial routes, the M11 and the West Anglia railway line from Stansted to Liverpool Street Station London, and the M1 and the Midland main line from Luton to Kings Cross. Employees are more widely spread using a range of routes to reach the airports including the A120, A1184 and B1004 at Stansted and the A1081, A505 and B653 at Luton.

The Air Transport White Paper published in December 2003 set out the government's then policy for airport development. The intention was that full use would be made of the capacity of existing runways and in addition a second widespaced runway was proposed at Stansted and a full-length runway at Luton. The county council's position remains strongly against these proposals. A new National Policy Statement on Airports due to be published in 2011 will set out a different policy to that of the White Paper.

- A. The county council is opposed to new runway development at Luton and Stansted Airports.
- B. Should any future development and growth in passenger numbers at either Stansted and Luton Airports be promoted, the county council will seek the provision in Hertfordshire of adequate supporting surface access infrastructure and services to meet the needs of airport users while minimising the impact on local and other travellers. The county council will seek assurance that the funding of such improvements will be in place before growth occurs.
- C. The county council will promote and where possible facilitate a modal shift of both airport passengers and employees towards sustainable modes.

### ***Explanatory notes***

The county council will seek to implement the policy as regards surface access through working with the airport operators on the Airport Surface Access Strategies and with transport providers and authorities to improve access. In particular it will look to realise the potential for coach services to link parts of the county to the airports and promote improved rail services from Hertfordshire stations to Stansted. The council's influence over the provision of infrastructure and services on this scale is limited but it will work with neighbouring authorities to maximise its influence.

The county council will consider the implications of the Airports National Policy Statement when it is published. Consideration will include the above policy, which relates to expansion proposed in the 2003 Air Transport White Paper, and the county Corporate Plan 2009/2012 which in seeking to tackle climate change states that it will look to resist airport expansion and mitigate the impact of air traffic.

### ***Bibliography***

- *Air Transport White Paper (Department for Transport) 2003*
- *Airport Surface Access Strategies*

### 3.3 Casualty Reduction and Prevention

[The LTP3 Challenges addressed by this policy statement are set out at the end of this Policy Document (**Appendix 1**)]

The county council has a statutory duty under the Road Traffic Regulations Act 1988 (section 39) that requires authorities to develop programmes to address their known accident problems. This statutory obligation states that once studies have been carried out on specific accidents the authority must, in light of those investigations, take measures that appear to it to be appropriate to prevent such accidents recurring. In addition when a fatal accident occurs on a public highway, the police will investigate the incident as an 'unlawful killing'.

Nonetheless it is axiomatic that 'human beings make mistakes. When people make those mistakes on the roads, the consequences can be grave, even fatal, for themselves or for others.'<sup>1</sup>

The number of collisions and casualties in Hertfordshire has seen significant reductions over the last decade but every day adults and children are injured and sometimes die while using the transport network in the county.

The county council will:

Minimise the number of people killed or seriously injured on the county's roads through:

- A Targeted activity using latest data analysis techniques and measures
- B Promoting a mix of engineering, education and enforcement activity focused on casualty reduction and prevention
- C Working with partners to develop and deliver targeted and appropriate measures and messages

#### ***Explanatory notes***

##### **Policy statement A: Data Analysis**

Police Stats 19 data has been used for many years to establish patterns and locations for safety measures and it will continue to provide the base data that underpins scheme selection. Emphasis is placed on using data where road users have been injured or killed on roads in the county rather than where damage only collisions have occurred. Analytical tools are now available to help target interventions according to risk and likelihood of involvement in injury collisions and they will be increasingly used to develop specifically targeted educational activity.

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<sup>1</sup> A Safer Way, DfT consultation doc, April 2009.

**Policy statement B: Engineering, Education and Enforcement**

Although traditional, engineering, education and enforcement measures, including safety cameras, have been effective in reducing injury collisions and casualties in the county (and will continue to be implemented through the promotion of collision and casualty prevention and reduction programmes). New data tools will help to specifically target education interventions at a very local level.

The county's Speed Management Strategy (section 3.24) considers the setting and enforcement of speed limits.

**Policy statement C: Partners**

DfT guidance specifically directs local authorities to develop strategies with partners, such as the police and the other emergency services, who will continue to be crucial partners in delivering road safety improvements. The Strategic Road Safety Partnership currently has representation from HCC, Police, Fire and Rescue, PCT, and the Highways Agency.

There are other specific safety aspects that the council seeks to address. These can range from powered two wheelers (see section 3.17) to mobility scooters that have dangers for both the users and other road users. Detail on the implementation of the county's safety policies and the criteria for interventions is set out in the Road Safety Strategy 2011, a daughter document of the LTP.



### 3.4 Climate Change: Emissions Reduction and Climate Risk

[The LTP3 Challenges addressed by this policy statement are set out at the end of this Policy Document (**Appendix 1**)]

Climate change affects all aspects of our society, economy and environment. It has serious implications for transport which is a major source of emissions (and hence a contributor to climate change), as well as also being at risk from the physical impacts of climate change itself through extreme weather events and gradual changes in temperatures and rainfall over time.

The climate change agenda has been one of the most rapidly expanding areas of policy over recent years for both central government and local authorities. The passing of the Climate Change Act (2008) introduced the requirement of an 80% reduction in emissions from 1990 levels by 2050 and an obligation upon the public sector in particular to assess its vulnerabilities to the impacts of climate change. This was a clear statement from central government on the need for action and this has been directly passed down to local authorities both in terms of legislative requirements and statutory obligations.

The county council's Corporate Plan (2009-2012) recognises the need to reduce emissions, including the need to tackle traffic congestion, and also the need to prepare for potential climate change impacts. Both issues apply to transport and are therefore key elements of the county's transport policies.

#### Emissions - Mitigation

Transport in Hertfordshire makes up just over a quarter of the county's assessed CO<sub>2</sub> emissions (27%) and over a third when traffic on Trunk Roads and Motorways is included (37%)<sup>2</sup>. The overall level of emissions needs to be substantially reduced to meet the government's target, with emissions reductions achieved through a mixture of reducing traffic mileage, reducing the emissions from individual vehicles (through technological advances) and maintaining free flowing traffic at appropriate speeds.

The county council will seek to:

- A. Promote a change in people's travel behaviour to encourage a shift in journeys from cars to passenger transport, cycling and walking, which will reduce emissions.
- B. Support the carbon reduction, sustainability and health agenda by encouraging safe walking and cycling for all.
- C. Reduce the level of stop-start conditions through traffic management and other small scale interventions.

<sup>2</sup> Department of Energy and Climate Change 2008, figures for 2007:  
county roads - 1,845 kt CO<sub>2</sub>, 27% of county emissions;  
all roads - 2,944 kt CO<sub>2</sub>, 37% of county emissions.

- D. Promote reduced use of fossil fuels in transport through driving styles, more efficient engines and new technologies.
- E. Promote the use of cleaner fuels and technologies by bus operators and the local authority fleets.
- F. Investigate the use of low emission zones.
- G. Support national programmes to reduce transport's contribution to climate change.

These policies apply throughout the Local Transport Plan and other sections of this document contain further information on how they may be realised. The aims of the traffic reduction policies have not changed substantially over the past decade and include the benefits to health from using more active travel modes but the threat of climate change gives fresh impetus to the need to change lifestyles and promote alternative forms of travel.

As well as traffic reduction more efficient engines and driving styles will reduce emissions without changing mileage while new technologies, such as hybrids and electric vehicles, offer further potential for savings. The county council has a limited role in delivering new technologies but will support central government's initiatives where relevant.

The introduction of electric cars is still in an early stage and in the early years of this plan their use is likely to be limited so the county's policy regarding the provision of infrastructure for them (section 3.9 of this document) will need to be kept under review.

Other policies which would help to achieve a reduction in emission levels may also need to be considered later in the LTP3 plan period if the required fall in emissions is not being realised. These could include measures such as road pricing in congested areas and routes, taxing private car parks and other demand management interventions. The value of these measures is not yet proven so they do not form part of the county's transport policies at the present time but will be kept under review.

The county council is required to take account of emissions arising from its own operations. Emission levels from the construction and operation of proposed new infrastructure will be assessed for each project. The required reduction in emissions however is unlikely to be achieved by the county council's policies, promotions and actions alone. It will require the support of transport providers, employers and the public together with all levels of government.

### **Climate Risk - Impacts of Climate Change**

The county council has also to prepare for the impacts of climate change. It is apparent that what might be termed extreme weather phenomena, such as heavy rain and snow, and floods, heat waves and drought, are likely to increase both in terms of frequency and magnitude over the coming decades. Meanwhile we are already experiencing the effects of more gradual changes in temperatures and rainfall (such as a lengthening of the growing season and the implications of this for open/green space maintenance regimes).

The potential impact of these changes in coming years is known as climate risk and must be factored into the design and operation of new and maintained infrastructure, as well as policies and decision-making, to ensure the transport network in Hertfordshire is fit for purpose in the future.

The county council, as part of its response to climate change adaptation, will design, construct, maintain and operate all infrastructure in the light of the risk from a changing climate. The same principles will be applied to infrastructure provided by other organisations including developers.

The risk from the impacts of climate change will increase over time and must be factored into all long term decisions and planning, that is at least the life time of new and maintained infrastructure. The transport network needs to be resilient to changing weather patterns and extreme events.

The requirements for new road infrastructure in this regard are set out in the county's highways design guide 'Roads in Hertfordshire'. Inevitably as knowledge regarding potential climate change increases then these requirements may need reviewing over the LTP plan period.

## 3.5 Congestion

[The LTP3 Challenges addressed by this policy statement are set out at the end of this Policy Document (**Appendix 1**)]

Public surveys suggest that traffic congestion is considered a significant problem in Hertfordshire. Traffic delays, often made worse as a result of collisions, and the uncertainty as to the time any journey might take, are a major concern to local businesses and to bus, coach and freight operators and can badly affect the economy of the county.

Congested traffic results in higher levels of emissions compared with free flowing traffic. This further increases transport's contribution to climate change and reduces local air quality creating air quality problems in congested areas. Congestion can also impact on the environmental character of an area, and deter people from walking and cycling there, and can lead to rat-running on less suitable roads, with all its attendant safety and environmental problems.

Traffic congestion therefore has an adverse impact on all road users but the car is still expected to be the dominant mode of transport in the county and in the country throughout the life of this plan. Congestion will be inevitable where the road capacity is insufficient to meet demands and drivers are willing to accept the resulting delays. It is the county's policy to reduce the need to travel and promote the use of sustainable modes of transport, alongside road user education, training and publicity initiatives. These aim to address this issue while efficient management of the network minimises the local effects.

The county council will identify user priorities on routes across the highway network and seek to:

- A. Manage, and where feasible reduce, traffic in congested areas and on congested routes particularly in peak periods.
- B. Improve traffic flows and minimise the adverse environmental effects of congestion by using intelligent transport systems, traffic management and small scale interventions.
- C. Minimise the effects of road congestion on passenger transport services by introducing bus priority measures.
- D. Promote walking and cycling in peak periods by improving the environment for these modes in congested areas.

Managing congestion is a part of the efficient management of the network which underlies all of the county's work as Highway Authority. Information technology and small scale interventions can help address particular problem areas but in the longer term solutions depend on limiting the growth in demand in the peak periods by changing people's attitude to the car and increasing the proportion of journeys by modes other than the car. Improving the travelling environment for these modes, the safety, security, ambience, air quality and so on is therefore an important part of the county's policies.

Congestion and stop-start driving conditions (rolling queues) also have particular impacts on local air quality. Congested traffic can lead pollution levels requiring the declaration of a locality as an Air Quality Management Area (see section 3.18).

Promoting buses, cycling and walking and other sustainable modes (e.g. car sharing) requires interventions that make journeys by those modes quicker, more comfortable practical and safer (or at least perceived as being safer by the user). These interventions will normally be considered as part of an Urban Transport Plan so the priorities and potential conflicts with maintaining free flowing traffic can be fully assessed.

For congested routes between urban areas the council intends to adopt corridor strategies. These are strategies for important routes aimed at making the fullest use of available capacity. In the initial strategies the authority will concentrate on those routes linking the major urban areas defined as the key centres for development and change (KCDCs). These strategies will build on the findings of studies carried out in the region in 2010 (DaSTS<sup>3</sup> studies). Road traffic originating in rural areas also contributes to congestion, and the Rural Strategy will seek to address appropriate issues associated with this.

More controversial measures such as road pricing or limited car parking may need to be considered in the future but are not part of the present LTP policies.

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<sup>3</sup> DaSTS Developing a Sustainable Transport System : Department for Transport 2008

## 3.6 Cycling

[The LTP3 Challenges addressed by this policy statement are set out at the end of this Policy Document (**Appendix 1**)]

Cycling is a low cost, convenient, quick, healthy and sustainable form of transport that is well suited to many short to medium distance journeys. Increasing levels of cycling forms an essential part of Hertfordshire's transport strategy.

Cycling is a simple way for people to incorporate more physical activity into their lives and can provide access to jobs, services and recreational opportunities for many people. By replacing trips made by car with cycling there is also the added benefit of reduced emissions and congestion on the highway network. As a result increased levels of cycling in Hertfordshire can make important contributions to the 5 goals of the Local Transport Plan.

The county council will promote cycling through infrastructure improvements and softer measures such as campaigns, information and education and ensure that as far as practicable all of its policies and programmes work together to encourage modal shift to sustainable forms of transport including cycling.

Encouraging modal shift to sustainable modes of transport, particularly cycling and walking, forms a major part of the county's transport policy and service areas other than transport should recognise the importance of cycling through its inclusion in their own policies and programmes. The county council can communicate support for cycling and will seek to address a range of issues including design, maintenance and safety. As part of this work it will develop a funded programme to include developer contributions where relevant.

With the aim of increasing levels of cycling the county council endorsed a detailed cycling strategy in 2007. The strategy includes a comprehensive set of policies with the aim of encouraging more cycling, more safely, more often in Hertfordshire.

The Cycling Strategy was developed around the criteria listed below to provide a framework for delivering increased levels of cycling in Hertfordshire:

### Council Commitment to cycling

- Improving Cycling Infrastructure
- Cycle training (Bikeability)
- Marketing and promotion
- Stakeholder engagement
- Wider engagement (partnerships with other agencies, including Sustrans)
- Planning (the integration of cycling into land use development)
- Targets and Monitoring

The full cycling strategy which contains detailed policies and further supporting guidance is available on <http://www.hertsdirect.org/ltp>. It will be reviewed in 2011/12. The cycling strategy complements the walking strategy and together they address areas of crossover, including the interactions between cyclists and pedestrians.

Recent results from the Department for Transport's investment in Cycling Demonstration Towns has shown that a combination of improved cycling infrastructure and softer measures such as promotion and improved cycle training can deliver significant increases in levels of cycling. Whilst these measures require increased investment they have been shown to provide a high benefit-cost ratio and this provides a strong case for consideration to be given towards making a similar targeted initiative in Hertfordshire should funding become available.

### 3.7 Developer Contributions - Community Infrastructure Levy

[The LTP3 Challenges addressed by this policy statement are set out at the end of this Policy Document (**Appendix 1**)]

The Community Infrastructure Levy (CIL) was introduced in the Planning and Compulsory Purchase Act 2008, as a means of seeking contributions to essential infrastructure in a more transparent and effective manner.

Following a series of consultations on the mode of operation of CIL, and consultation in July 2009 on Draft Regulations, the final set of Regulations was published in February 2010, and the legal provisions for the Levy came into being on 6 April 2010. To complement the introduction of CIL, a number of changes to the operation of Section 106 agreements were also introduced, including effectively making the "tests" of Circular 05/05, a legal requirement.

The main provisions of the CIL are as follows:-

- The system is based on the principle that new development should help pay for the cost of infrastructure it gives rise to, with payment based on a simple formula relating to the size and character of the development being charged, applied to most development with some exemptions (e.g. householder applications)
- CIL will be charged and collected by those who prepare development plans, so in England this will include the district councils and unitaries but not county councils
- The definition of infrastructure should be wide enough for charging authorities to decide what infrastructure is appropriate to their area
- Regulations allow the pooling of contributions by charging authorities to deliver sub regional infrastructure in the context of delivering their development plans
- The Regulations allow the potential for bodies such as Regional Development Agencies or the HCA to forward fund key infrastructure on the basis of later reimbursement from CIL funding streams
- The rates to be charged will be set out in a Charging Schedule, which will be consulted upon and be subject to an examination in public. Charges will be expressed as a cost per square metre of development for each main class of development defined in the development plan
- There is a need for an up to date development plan as the basis for setting CIL, but also the CIL setting should take forward the infrastructure planning process with a detailed assessment of need which would be the subject of its own formal testing similar to that required for the development plan.
- Section 106 Agreements will continue to operate, specifically for site specific impacts of development and to facilitate the provision of affordable housing; restrictions in the use of obligations are proposed to ensure this.



A number of changes to the operation of Section 106 agreements have been introduced, including the “tests” of Section 106 legal status, which will encourage local authorities to move to the use of CIL. Amongst these will be a limitation on the ability to pool contributions from Section 106 towards more strategic infrastructure, after the deadline of April 2014, and ensuring the scope of Section 106 is tightly defined once a CIL charging regime has been introduced.

At this stage it is too early to reach conclusions as to whether the 10 Charging Authorities in Hertfordshire will move towards the implementation of CIL in the county. However as appropriate:

The county council will ensure that, prior to the adoption of a CIL regime (or equivalent), that Section 106 contributions for transportation infrastructure can be evidenced and meet the statutory tests, and will work together with District councils in the development of a co-ordinated approach to the implementation of CIL (or equivalent), where this is required.

## 3.8 Development Control

[The LTP3 Challenges addressed by this policy statement are set out at the end of this Policy Document (**Appendix 1**)]

The county council has consistently sought to integrate its transport policies with the relevant land use policies at the regional, county and local level and will continue to do so. There is now no county level planning document reflecting transport issues. The county council will however continue to advocate its transport policies as set out in this LTP through dialogue with the District/Borough councils with the intention that they will influence the shape of development in the future.

In considering development proposals in its role as Highway Authority the county council will have regard to all the policies in this LTP and particularly those relating to reducing the need to travel and to increasing the use of modes other than the car and those relating to climate change.

The county council will:

- A. Examine development proposals to establish whether their effects on the transport system can be accepted and to ensure that the access arrangements are constructed to an adequate and safe standard.
- B. Ensure the transport and safety implications of development proposals are considered.
- C. Assess development with regard to reducing the need to travel and ensure alternative modes of transport such as walking, cycling and the use of passenger transport are promoted.
- D. Whenever possible, mitigate the effects of the movement demand generated by development with obligations from the promoters. The county council will seek to obtain the maximum private sector contribution compatible with Government guidelines and the county council's transportation objectives and, where appropriate, published local strategies.
- E. Require a Transport Assessment and a Travel Plan for developments above certain thresholds.
- F. Consider requiring a Transport Assessment or statement and/or a Travel Plan for smaller developments below general thresholds in sensitive locations.
- G. Resist development where:
  - i. The proposals would increase the risk of accidents or endanger the safety of road or rights of way users.
  - ii. The proposals would cause or add significantly to road congestion, especially at peak travel times.
  - iii. The proposals would generate a significant change in the amount or type of traffic using local or rural roads or rights of way.
  - iv. The proposals would either significantly affect the rural or residential character of a road or right of way, or would significantly affect safety on rural or local roads or rights of way especially amongst vulnerable users, or would be located by a poorly designed road.

H. New access to primary and main distributor routes will only be considered where special circumstances can be demonstrated in favour of the proposals. This will include consideration of why alternative proposals are not viable.

### ***Explanatory notes***

The county council has consistently sought to ensure its transport policies are fully integrated with the land use planning policies at the regional, county and local level. An essential element of the overall county development strategy, with its emphasis on urban regeneration, is to minimise the need for travel and encourage less environmentally damaging forms of transport. Whilst there may be future development in areas of a rural nature, the overriding objective of spatial planning policy in the County will remain to focus development on the larger urban settlements in order to maintain and improve the sustainability of development and reduce carbon emissions. District/Borough councils are continuing to develop their Local Development Frameworks, with a major element in those reviews being the transport strategy and related aspects, such as car parking strategies.

Proposed new developments will be considered in the light all the county's transport policies including their potential to reduce the need to travel and their accessibility, particularly for modes other than the car. As part of this consideration the effect of development generated traffic on the transportation system will be assessed for all proposals. In particular:

A Transport Assessment and a Travel Plan will be required in the following instances based on the current Department of Transport (DfT) guidance on Transport Assessment:

- Housing developments for more than 80 dwellings.
- Food Retail development of more than 800m<sup>2</sup> gross floor area.
- Non-food Retail development of more than 1500m<sup>2</sup> gross floor area.
- Office development (B1) of more than 2500m<sup>2</sup> gross floor area.
- Industrial development (B2) of more than 4000m<sup>2</sup> gross floor area.
- Warehouse development (B8) of more than 5000m<sup>2</sup> gross floor area.
- Sports centres, leisure complexes, golf courses, mineral extraction, landfill and other waste disposal proposals.
- Any development likely to increase accidents or conflicts, particularly of vulnerable road users.

In sensitive locations a transport assessment with travel plan statement may be required for smaller developments below these thresholds.

A Transport Statement may be required for smaller developments as set out in DfT guidance and in the county's highway design guidance 'Roads in Hertfordshire'.

The traffic and road safety implications on the highway and Rights of Way networks of development proposals, and the related proposals for addressing them should be set out in any transport assessment or statement required. Such assessments should include the level of accessibility for all modes of travel and any proposed parking provision.

All types of developments will be expected to develop a travel plan with a plan being submitted to accompany the application. This requirement will apply to school as well as

business and other developments. Further information on travel planning is set out in section 3.28 of this document.

Development will be located so that traffic is discouraged from using roads, in particular local distributor and access roads to which it is not appropriate. Development on a road with inappropriate characteristics could be acceptable if the following conditions are met:-

- The development is within 1 km of the distributor road network; and
- The developer provides improvements to the local road (local roads will be defined as in the Road Hierarchy and Network Development, section 3.20) which satisfy environmental, safety and capacity conditions.

This will particularly apply to recreational and community developments which could attract large numbers of visitors, albeit on only one or two occasions each year.

A significant change in the amount or type of traffic using a road will be considered to exist where: -

- There is an increased risk of accidents, especially to pedestrians, cyclists and other road users such as horse riders.
- The road is poor in terms of width, alignment or structural condition.
- Increased traffic would have an adverse effect on the rural character of the road or the residential properties along it.
- Development generates particular types of heavy traffic, including distribution centres and waste and minerals operations. These will be located such as to discourage that traffic from using roads other than the primary network wherever possible.

Developer contributions will normally be necessary to mitigate the impact of development traffic and to improve accessibility to the development site by all modes of transport. The scale of the contribution will depend on the size and type of the proposed development and the transport investment required to cope with the predicted level of transport needs.

The county council will aim to secure planning obligations following Government guidelines (including those relating to the Community Infrastructure Levy, section 3.6), Local Planning Authority planning documents and the HCC Planning Obligations Toolkit.

When considering the adoption of new roads and infrastructure to become highway maintainable at the public expense under provisions within the Highways Act it is the county council's intention that:

- On development with no through route, only the main access road will be considered for adoption. Residential access roads serving underground car parks, supported by structures or taking the form of short cul-de-sac with no wider highway benefit will not be considered for adoption.
- If the developer states that they do not want to offer roads for adoption, the long term maintenance of private (unadopted) roads in residential developments should be secured as a standard requirement through a S106 obligation.

Where privately provided roads and other infrastructure are to be adopted by the county council, the council as Highway Authority has authority to require financial support for future maintenance and renewal costs. The financial support for future maintenance and renewal costs is usually in the form of payment of a single commuted sum or sums, currently associated with particular elements of the works and /or types of construction which are likely to incur long term extraordinary maintenance commitments. Further details on this are set out in the county council's guidance on road design Roads in Hertfordshire.

The county council's strategy for providing for the transport needs of recreation facilities is to use accessibility for passenger transport users, cyclists, equestrians and pedestrians and for people with disabilities as one of the criteria for assessing development proposals for sporting, recreation and other leisure facilities.

Developments which would require significant HGV use of local roads (section 3.20 defines local roads) will be resisted by the county council. This also applies to applications for new vehicle operator's licences using local roads.

New accesses directly on to primary and secondary routes will not normally be permitted. To consider new access to primary routes special circumstances will need to be shown in favour of the proposals. This will include consideration of why alternative proposals are not viable.

Where access is allowed a high standard of provision will be required. On lesser categories of road, safety considerations will be paramount. The road categories are explained in section 3.20.

Proposals for Motorway Service Areas will be considered in the light of local considerations but should:

- i) be at a minimum distance of 30 miles apart;
- ii) be designed to allow safe access and operation;
- iii) for those located between motorway junctions, not include facilities which will generate traffic and trips in their own right, while the inclusion of such facilities at interchanges must have regard to the capacity of the local road network to carry the additional traffic generated.

### 3.9 Electric Vehicles

[The LTP3 Challenges addressed by this policy statement are set out at the end of this Policy Document (**Appendix 1**)]

Improvements to the internal combustion engine will continue to reduce vehicular emissions of carbon dioxide and air pollutants over the next few decades, but to achieve the nation's present emission targets there is a general consensus that the adoption of new technologies is required. Of the technology available, electric (battery electric or plug-in hybrid) vehicles (EVs) are the closest to being in regular use. Boasting zero emissions at point of use and carbon dioxide emissions 30-40% lower than petrol or diesel-fuelled vehicles (compared to current UK electricity sources), EVs are considered to have the potential to significantly contribute to tackling both local and global environmental challenges in the future.

Progress towards mass commercialisation has however been slowed by a number of obstacles, primarily relating to technology, risk and cost. In particular while most EVs can be charged using the household supply they have a short journey range before they need recharging. This makes them more suited to urban environments where trips may be short and where infrastructure for recharging can be more readily provided.

If the potential of EVs, electric scooters, motorcycles, cars, vans and light trucks, is to be realised by Hertfordshire's residents and businesses there is a need for suitable charging infrastructure. The availability and visibility of infrastructure will generate consumer interest and aid the confidence of those considering the purchase of an EV.

The policy below represents the council's current view of the developing electric vehicle sector. However, the technology involved with electric vehicles and charging infrastructure is expected to advance significantly over the next decade as will the attitudes and behaviour of EV owners. There are also a number of factors which may negatively impact the viability of installing a charging infrastructure, including energy prices and security as well as the current high prices of purchasing and the uncertainty in the costs of EV maintenance. The policy therefore will need to be reviewed on a continual basis.

The county council will support the provision of infrastructure and facilities to enable and encourage the use of electric and electric hybrid vehicles.

The county council will support stakeholders (including district councils), where appropriate, to implement charging points in workplaces and public areas which are compatible for vehicles produced by various manufacturers and using different charging units to ensure competitor device compatibility moves forwards.

Ideally charging points should be in highly visible locations but stakeholders should ensure any new infrastructure and facilities minimise the increase in street furniture and do not disrupt the aesthetic value of the location or the free flow of traffic. Each charging point should be implemented with minimal ground works required and

where possible, should be able to charge more than one vehicle at the same time, thus negating the need for further installations. Safety will be a critical factor when deciding which charging point design to implement for the network. Other infrastructure and facilities may be supported where it is considered appropriate.

### 3.10 Equestrians

[The LTP3 Challenges addressed by this policy statement are set out at the end of this Policy Document (**Appendix 1**)]

Hertfordshire has one of the highest number of horses in the country. Most horses are for leisure purposes though it is recognised that horse riding and horse-drawn carriage driving can be a healthy and sustainable alternative to the car as a means of transport. The county council in partnership with local District / Borough councils, The British Horse Society, Sustrans and other key groups, will seek to provide safe facilities for the use of equestrians. Rural Rights of Way, byways and bridleways can be considered sustainable routes which are maintained by the Rights of Way Service.

The county council will seek to:

- A. Support the establishment of strategic bridleways within the Rights of Way network to develop, improve and provide safer and appropriate routes for users.
- B. Give consideration to the needs of equestrians when designing new highways and schemes or alternative routes identified and developed.
- C. Implement measures along equestrian routes to increase both road and personal safety (including the provision of equestrian crossings).
- D. Maintain bridleways<sup>4</sup> to an acceptable standard.

#### ***Explanatory notes***

In delivering its policy the county council will seek to:

- Identify and develop a network of riding routes around settlements ('Community Circuits') as part of the integrated transport plans.
- Identify and promote routes of regional significance ('Regional Routes') like the London Orbital bridle route ('H25') and the Great Northern bridle route ('H1'), part of the planned National Bridle route Network.
- Develop and promote the use of safe road verges for equestrian use alongside main roads between towns, where there is a requirement and it is practical to do so.
- Seek to ensure that where possible other sustainable active modes such as walking and cycling can share facilities with equestrians and that where infrastructure improvements are carried out for one mode it is suitable for all.
- Identify and provide equestrian crossing facilities ('Pegasus') on priority routes and at sites where they are justified. Such justification will be based upon sites identified in the Rights of Way Improvement Plan and a relaxation of DfT criteria which will be used flexibly when assessing sites.
- At crossing points on heavily tracked roads, consideration to be given to the provision of a grade-separating crossing.

<sup>4</sup> The term is taken to include Bridleways, Restricted Byways, Byways Open to All Traffic (BOATs), Other Routes with Public Access (ORPAs) and certain unclassified unmetalled roads (UCRs).



- Take account of the needs of horse riders when designing new road schemes and other highway improvements. Equestrian facilities will be provided in accordance with the guidelines in TA57/87. "Roadside Features", TD16/93 'geometric design of Roundabouts'. In all cases the provision of equestrian facilities will give the greatest importance to the safety of horse riders and other road users.
- New bridges will normally be designed to BD52/93. Wherever possible such new bridges will be suitable for equine use, in particular those in close proximity to bridleways. Where a bridge on an all-purpose road is likely to be used by more than 25 equestrians per day the parapet will be designed to have an overall height of not less than 1.8m above the adjoining paved surface.
- When Traffic Regulation Orders are considered as a means of regulating motor vehicular access to unmetalled routes, horse drawn vehicles will not normally be excluded.
- Support the British Horse Society's Riding and Road Safety training and test programme to increase adult and children riders' skills on the roads.

## 3.11 Highway Signing

[The LTP3 Challenges addressed by this policy statement are set out at the end of this Policy Document (**Appendix 1**)]

Clear and effective signing is essential for all network users, vehicle drivers, equestrians, cyclists and pedestrians alike. Signing is important for the economy, especially tourism, but ill considered use of signs can result in unacceptable street clutter to the detriment of users and the local environment.

The county council will provide clear and effective signing across the network, minimising the number and environmental impact of signs. - *policy to be agreed at Highways and Transport cabinet Panel in November 2010.*

The county council will implement signing and lining in accordance with the mandatory requirements of the "Traffic Signs Regulations and General Directions 2002" and its' amendments and where there is discretion adopt the following policy approach as set out in the county's signing strategy:

- A. Seek to minimise the number of signs in order to reduce clutter and minimise future maintenance costs.
- B. Ensure all signing is designed with respect for the surroundings, to preserve local distinctiveness wherever possible and make a positive contribution to the environment.
- C. Ensure that in the interests of energy conservation and reducing carbon emissions; minimising light pollution and reducing electricity and maintenance costs, signs will be illuminated only if required in accordance with the Traffic Signs Regulations and General Directions 2002. Lighting units will be removed from existing illuminated signs no longer requiring illumination and replaced with reflective signs.
- D. Ensure road signs and road markings are kept visible at all times with priority to be given to roads with the highest traffic volumes and speeds and where there is a hazardous site or route. Measures will be employed to ensure that signs are maintained on a regular basis.

### **Explanatory notes** **Policy Statement A**

Appropriate warning signs can greatly assist road safety. To be most effective, however, they should be used sparingly. Their frequent use to warn of conditions which are readily apparent tends to bring them into disrepute and detracts from their effectiveness.

Warning signs will be provided where the Highway Authority accepts that a hazard exists which is not otherwise readily apparent. They will not be erected to satisfy demands that 'something be done'.

Unjustified signing should not be used at individual locations simply in response to complaints from the public. Care should be taken to ensure that a route is treated

consistently, especially where it crosses the boundary between two different traffic authorities.

Warning signs will not be erected at locations where drivers can quite clearly see and assess the hazard. For example, the county council do not erect signs advising of the presence of junctions along a road that is passing through a built up area.

### **Policy Statement B**

Appropriate signage can greatly enhance the local environment, especially if it is in keeping with the character of the local area. In order to achieve this, new signs must be considered appropriately before installation; to ensure that they are necessary. However, this should not detract from installing signs that are required for motorist/cyclist/pedestrian safety.

In areas of significant historical and environmental importance additional consideration for signage should be taken into account. Signs will be kept to a minimum and will be introduced only after consultation with, or advice from, the Network Manager or relevant Planning Department.

### **Policy Statement C**

Signs that are currently illuminated in areas where it is deemed that this illumination is unnecessary will be removed and replaced with highly reflectorised signage. Hertfordshire county council is committed to reducing its carbon footprint. By systematically reviewing signs that are unnecessarily lit, large savings will be made on energy consumption and maintenance costs.

Signs will remain lit in locations where it is deemed that this illumination is necessary to address safety issues.

### **Policy Statement D**

To ensure that signage and its associated structures are kept visible at all times and consistently maintained to a high standard, Hertfordshire county council will frequently monitor their condition.

### **Bibliography**

- *The Traffic Signs Regulations and General Directions, SI No.3113 (2002), HMSO*
- *Traffic Signs Manual, (2008), DfT.*
- *Local Transport Note 1/94: The Design and Use of Directional Informatory Signs, (1994), DfT.*
- *Roads in Hertfordshire – A Guide for New Developments, (2001), HCC.*
- *East of England Regional Tourism Signing Policy, (2004), East of England Tourist Board.*
- *Department for Transport Internal Advice Note (IAN) 8/91, (1991), DfT.*
- *Local Transport Note 2/08 – Cycle Infrastructure Design (2008), DfT.*
- *Design Manual for Roads and Bridges (1992) Highways Agency*
- *Code of Practice for Highways Maintenance Management, (2005), UK Roads Board.*
- *Hertfordshire's Speed Management Strategy*

## 3.12 Intelligent Transport Systems

[Details of how this tactical policy statement supports the delivery of the strategic priorities is set out in the **Policy Matrix (Appendix 1)**]

This section details the county council's position on Intelligent Transport Systems. Intelligent Transport Systems span a range of sections within transport. Types of ITS are detailed in 3.13 Network Management and 3.16 Passenger Transport. The strategies, the ITS strategy, the Bus strategy and the Intalink (passenger transport information) strategy (contained as daughter documents in the LTP) provide greater detail on the specific policies surrounding use of ITS in these areas. This policy statement outlines the overall approach to ITS and the benefits it can deliver for the transport network.

The council will use a range of Intelligent Transport Systems to help reduce congestion and improve traffic flow across the county. This will involve both efficient management of the network and achieving greater patronage of passenger transport. ITS can help improve access by making the road and passenger transport networks easier to use, informing people about the best way of making their journey and by providing more reliable journey times.

ITS also contributes to making roads and transport facilities safe and secure. Effective use of CCTV / ANPR<sup>5</sup> monitoring will contribute to ensuring transport interchanges are safe environments and additionally that users 'feel' safe using the transport system. CCTV/ANPR will also be used to support traffic enforcement operations (such as bus lanes and No Entry).

ITS measures currently form part of passenger transport and network management strategies and are likely to inform many other areas of transport policy as new developments emerge.

Real time passenger information on bus services will improve information provision by providing up to date information for passengers at bus stops and on the move.

A Traffic control centre will assist in identifying blockages on the network and will provide a central point to enhance and collate data the county council currently has on network performance (see Network Management section 3.13).

Intelligent transport systems technology provides a number of benefits to the way in which transport is managed. The county council will continue to utilise technology to provide better services for residents and in the future will look to take advantage of the latest ITS developments as they emerge.

The county council will seek to:

- A. Use Intelligent Transport Systems to help reduce congestion and improve traffic flow

<sup>5</sup> ANPR - Automatic Number Plate Recognition

- B. Use new technology to help provide up to date and accessible transport information for all network users
- C. Improve management of the network through creation of a central information Hub
- D. Use technological innovations to help ensure the safety and security of passenger transport users on the network.

In this context the county council will support measures which:

- Reduce congestion and improve traffic flow
- Make passenger transport easier to use
- Ensure transport facilities are safe and secure
- Take advantage of any future developments to improve the overall network

### 3.13 Network Management

[The LTP3 Challenges addressed by this policy statement are set out at the end of this Policy Document (**Appendix 1**)]

The county council will ensure compliance with the network management requirements of the Traffic Management Act 2004 (TMA) by following the guidance contained in the government publication 'Network Management Duty Guidance'. The actions required to fulfil this duty can be defined as anything that would contribute to the more efficient use of the network or that would avoid, eliminate or reduce congestion or disruption ensuring the expeditious movement of traffic.

Under the requirements of the Act the County Council must appoint a Traffic Manager. This provides a focal point within the authority championing the need for all county council staff to consider the duties required by the Act in their day to day activities. All county council staff are to be made aware of the implications of the Act, including the intervention powers and the impact the Act has on the organisation.

The TMA aims to tackle urban and inter-urban congestion by concentrating on areas where the Government believes that legislation can reduce disruption on our roads. The County Council has adopted a high level policy 'Network Management Policy Document' (NMPD) which contains largely operational policies and a Network Management Plan (NMP) which details the actions to be taken. (Both documents are available on the county council web site)

The Transport Asset Management Plan (TAMP, section 3.27 and a Daughter Document to the LTP) sets out how the network infrastructure, the roads, traffic lights etc, are managed and maintained. Network management is concerned with the operational actions, such as the phasing of the traffic lights, that the county council takes to ensure the efficient use of the network (and therefore fulfil the TMA Duty).

The overall policy as regards network management is:

The County Council will:

- A. Ensure that the objectives of the County Council's network management activities are balanced against the County Council's other obligations, policies and objectives and that they are both practicable and affordable.
- B. Consider the needs of all road users equally.
- C. Make safety and environmental considerations and legislative requirements integral to managing the network. Safety shall always remain a priority.
- D. Make more information on the state of the highway network available to the public and stakeholders through use of technology (Intelligent Transport Systems).

## ***Explanatory notes***

### **Policy Statement A**

The objectives of Hertfordshire Highway's network management activities are:

- To secure the expeditious movement of traffic on the county's road network.
- To facilitate expeditious traffic flows for stakeholder authorities.
- To ensure that parity between Herts Highway's activities and stakeholders' activities is achieved.

### **Policy Statement B**

This includes pedestrians, cyclists, freight transport and utilities. The preferred approach in complying with the Act's requirement in reducing congestion is through the pro-active management of the county's road space, an evidence-led approach to events and the prudent handling of conflicts arising.

### **Policy Statement D**

Greater use of technology will be important in everything that the county council does in giving the public and stakeholders information about the state of the highway network. This will help satisfy the council's Network Management Duty under the Traffic Management Act.

Better access to information will allow public to make informed decisions about their choices of when and how to travel on the network. This will lead to improved journey time reliability and reduced congestion.

The county's Intelligent Transport Strategy (outlined in section 3.12 with the strategy itself a daughter document to the LTP) points towards delivering these improvements through an Integrated Traffic and Transport Control and Management Centre. Aspects such as the phasing of traffic lights and traffic priorities will benefit from the real time information being made available.

A particular proposal for the medium term is the introduction of a Permit Scheme under the powers of the Traffic Management Act 2004 to enable better management of activities (road works) on the public highway. A Permit Scheme will improve the ability to co-ordinate works and thus minimise disruption from utility street works, highway authority works, and other events or works affecting the public highway. All of these works on all public highways are covered by the scheme.

An application for a county wide Permit Scheme will be made to the Secretary of State for Transport and implementation is intended in 2012.

### 3.14 New Roads and Highway Improvements

[The LTP3 Challenges addressed by this policy statement are set out at the end of this Policy Document (**Appendix 1**)]

The improvement of highways is a core part of the county council's role as highway authority. In some cases this also includes the provision of new roads. Such improvements will normally be carried out where identified in a strategy or plan such as an Urban Transport Plan (section 3.29) or a corridor strategy (see section 3.5), where treatment is appropriate following a history of injury collisions, or where required to deliver planned developments. Hertfordshire's guidance on road design and construction is set out in 'Roads in Hertfordshire'.

Where new road building is undertaken or highway improvements are being considered the county council will:

- A. Seek to minimise and/or mitigate the adverse physical impact of the road or the improvement on the landscape and environment and will try to secure significant and demonstrable environmental gains.
- B. Take into account the needs of pedestrians, cyclists, powered two wheelers, equestrians and passenger transport users and, where appropriate seek to provide increased capacity, easier movement or improved accessibility in order to enable more effective use.
- C. Identify ways of improving highway safety and weigh up any recommendations against the impact on all users.
- D. Design new road developments to accommodate existing demand and that of planned development and not necessarily to accommodate future growth in traffic demand.
- E. Consider measures to manage demand on the new or improved road and in the surrounding area.

#### ***Explanatory notes***

##### **Policy statement A**

New roads will be considered principally to relieve adverse environmental conditions resulting from the effects of traffic on existing roads, for example, poor air quality, noise, community severance etc. The impact should ideally be quantified and supported by qualitative information. Environmental impact will include the impact on the Rights of Way network, registered common land, access land and village greens, the landscape, ecology, archaeological and built heritage, noise and air pollution.

##### **Policy statement B**

Schemes should consider the needs of all users and consideration should be given to design measures that will support the take up of more sustainable modes including use of and links to the Rights of Way network. Design measures will be considered to enable passenger transport to accommodate local peak period movement.



An audit process for non motorised users has been developed for assessing all Integrated Transport Projects to ensure consideration is given to all users of the highway during the design process. If successful the audit process will be introduced across other highway workstreams.

### **Policy statement C**

In improving safety the Safety Audit is an important part of the design process. It will help to flag up ways in which schemes might be modified in order to improve aspects of safety. The recommendations of the audit will be considered by the county council and decisions made as to whether or not to take on board the recommendations. In certain cases the recommendations may compromise the delivery of other policies and officers will need to make an informed decision. Decisions not to act upon the recommendations will be recorded.

### **Policy statement D**

Generally, highway improvements and new road construction will be designed in accordance with the requirements of 'Roads in Hertfordshire' and in line with the Road Hierarchy (section 3.20) and any emerging corridor strategy or route user hierarchy. They will be in scale and keeping with the surrounding road network, unless there is an overall objective to increase the scale and/or change the nature of the network. The design criteria contained in 'Roads of Hertfordshire' will also be applied to new roads constructed by developers and organisations other than the county council.

However, for all roads new construction will be limited to meeting the needs for the levels of traffic existing at the time when the decision is taken to adopt a preferred route plus that traffic to be generated by planned growth. A capability to cater for future traffic growth except that generated by planned development will not be incorporated into the design and future demand will be met by promoting alternative modes of travel. Planned development is defined as development permitted or committed in the approved Regional Plan and District and Minerals and Waste Development Frameworks. Environmental bypasses will be considered to relieve congestion and safety problems in settlements without adding to route capacity provided that complementary measures on the bypassed route are provided.

### **Policy statement E**

Demand on a new or improved route or in the surrounding area may be managed through interventions such as speed limits, new signing etc.

## 3.15 Parking

The county council will implement controls for on and off street vehicle parking in line with the provisions and guidance in Roads in Hertfordshire.

Car parking policies and standards form part of the overall policies for the management of the highway network. Provision and standards for car parking will be determined by Local Planning Authorities in the context of Local Development Frameworks and where relevant Urban Transport Plans. This will include provision throughout districts, including in urban areas and for new residential and non-residential development. Provision for parking shall take account of the special needs of the mobility impaired and pedal cyclists.

Standards will have regard to guidance set out in Roads in Hertfordshire but may vary between authorities.

### New Development

Development proposals with potentially significant car parking demand will only be permitted where the applicant has agreed to measures to address the problems likely to arise from the parking demands generated by the development. Problems could include traffic generation, congestion, and on-street parking pressure. Travel Plans will be required for any such development to address the issues and provision for access by sustainable modes (means of travel other than car).

All non-residential development with significant parking implications should be in locations with potential for good access by sustainable modes. Such locations would normally be within urban areas. Provision of car parking should reflect PPG13 Transport. Travel Plans would be required for certain developments (see sections 3.7 and 3.28).

Parking for residential development should reflect the local circumstances of the development and where appropriate the parking policy of the district council. Normally full parking needs should be met on site but reduced provision in locations with good access to passenger transport and/or other mitigating measures, e.g. car clubs, may be allowed. Car free residential development may only be considered in suitable locations subject to satisfactory site covenants, on-street parking controls and provision of alternative means of transport. Travel Plans would be required for residential developments above a specified size or ones reliant on passenger transport access.

Developers must not create parking spaces on the Public Rights of Way network. Designs will therefore be required to integrate existing routes sensitively within developments avoiding unnecessary diversions.

Planning obligations (commuted payments) to contribute to additional passenger transport investment or other sustainable travel actions in lieu of parking places may be considered for both residential and non-residential developments. The sufficiency of parking provision at any development, in the light of aspects such as accessibility,

passenger transport services and location, will need to be considered to ensure displacement parking does not occur with impacts on the environment and traffic flow.

The needs of the mobility impaired, pedestrians and pedal cyclists should be addressed through the relevant policy standards.

### **Other Modes**

Secure and accessible parking for cycles and powered two wheelers should form a part of any significant development. Proposals for Park and Ride facilities will be considered in the light of Local Development Frameworks and Urban Transport Plans.

Consideration will be given to providing power sockets for electric vehicles at selected car parks to facilitate operation of such vehicles in the county.

### **Enforcement**

Enforcement of parking regulations and restrictions and determination of charging policies are a matter for District and Borough councils.

## 3.16 Passenger Transport

[The LTP3 Challenges addressed by this policy statement are set out at the end of this Policy Document (**Appendix 1**)]

Passenger transport includes what is generally termed public transport, bus, coach and rail services, and other forms of transport such as private coaches, school buses, taxis, Dial- a-ride which is tailored to particular passenger groups. The promotion and support of passenger transport is an essential part of the county's transport policies as it looks to reduce dependency on the car and increase the use of sustainable modes.

The county council will promote and support passenger transport across the county to provide access to important services and to encourage increased use of modes of travel other than by car.

As regards bus operations:

In order to optimise bus operations the county council will seek to:

- A. Support, promote and improve a network of efficient and attractive bus services which are responsive to existing and potential passenger needs including the special accessibility needs of the elderly and disabled.
- B. Procure a range of bus provision which provides maximum benefit to the travelling public in the most cost effective way.
- C. Develop a passenger transport network as a viable alternative to the use of the private car to contribute to the reduction of greenhouse gas emissions
- D. Encourage parents and school aged children to make maximum use of the available public transport network.
- E. Recognise that customers need attractive and affordable fares to use the system to its full potential and that car users need to be encouraged to choose sustainable modes.
- F. Continue to support and develop the bus transport provision that allows maximum accessibility and particularly for non car users and the disadvantaged (disabled, elderly etc).
- G. Promote and publicise the passenger transport network through the Intalink partnership using a variety of media.
- H. Provide and maintain all bus stops, and other bus related highway infrastructure, to a consistent quality and standard across the county.
- I. Seek to give greater priority to buses on the road network to improve punctuality and minimise bus service disruption from road congestion and the effects of road works.
- J. Continue to develop partnerships with other parties to achieve improvements in service provision and other facilities for specific aspects, corridors or geographical areas.

As regards rail operations:

In order to support rail operations the county council will:

- A. Work with the rail industry to seek improvements to train services and station facilities for Hertfordshire residents and visitors.
- B. Work with the train operating companies to establish quality rail partnerships.
- C. Support Community Rail partnerships in the county.

Hertfordshire is both a complex and a difficult area to provide with viable and sustainable bus services. It has high car ownership and use leading to congestion. It has many small towns with green belt which do not create natural conditions for commercial bus operation. Yet, expectations and aspirations are high for an integrated, high quality bus network as a key element in the county's transport policy which aims to increase the use of sustainable modes including passenger transport.

Hertfordshire also has a good (north-south) rail network with comprehensive programmes to improve the infrastructure, service capacity and reliability by both Network Rail and train operators. Implementation of these programmes is important to Hertfordshire particularly to serve the London commuter market.

Both modes have an important impact on:

- providing modal choice and reducing the need to travel by car
- maintaining levels of economic growth and employment
- supporting the local economy and the viability of town centres
- access to services and facilities
- improving the sustainable use of resources and air quality

The county council needs to continue to develop the passenger transport network by giving a clear policy lead set out in the LTP and identifying appropriate strategies to deliver it. This will help operators shape their businesses in partnership and recognise that a healthy commercial sector is essential to deliver the key outcomes of the LTP.

To help improve transport in specific areas and integrate all types of passenger transport services the county council will work with all providers to establish and support Quality Network Partnerships. These are partnerships of operators and local authorities aimed at providing a real alternative to journeys by car by building on the commercial passenger transport network.

The county's policy regarding buses is contained in the county council's Bus Strategy 2011 and the accompanying Intalink Strategy 2011-16 together with more detail as to how the various aims are to be achieved. In particular in order to help improve the journey experience of bus users the council will look to use new technology to provide real time information on buses on route.

The county council publishes a Rail Strategy that sets out its aspirations for rail improvements and standards of service. As part of its work with the rail industry the council is also engaged in a number of projects to improve interchange facilities at Hertfordshire stations.

### 3.17 Powered Two-Wheelers

[The LTP3 Challenges addressed by this policy statement are set out at the end of this Policy Document (**Appendix 1**)]

The term powered two-wheelers incorporates a wide range of vehicles from the smallest moped to the largest high-performance motorcycle. At the smaller end of this range, powered two-wheelers can help to deliver environmental improvements if they substitute for single-occupancy car use. However, these benefits will not be realised if the transfer is from walking, cycling or passenger transport.

Due to their small size and lack of protection powered two-wheeler users are, in road safety terms, vulnerable road users. The errant behaviour of some powered two-wheeler users, poor driving behaviour of some other road users, and lower visibility to other road users can add to this vulnerability. Powered two wheelers are disproportionately involved in injury collisions, being involved in around 20% of killed and seriously injured collisions but making up only 1% of the traffic.

The county council will:

- A. Consider the needs of powered two-wheeler users in the design and implementation of highway schemes.
- B. Encourage the provision of adequate and secure parking facilities for powered two-wheelers.
- C. Encourage safe use of powered two-wheelers through education and training.

#### ***Explanatory notes***

Policies A and B are delivered through urban transport plans and individual schemes where appropriate, taking into account Local Development Frameworks and local parking standards. The procedures and technical requirements are incorporated in the Highway Management Manual and scheme design manuals so that the needs of powered two wheeler users are considered in any works undertaken.

The county council encourages safe use through training and education programmes. Promotion of safer riding, advanced training and the use of protective clothing & equipment are key messages for the county's biking community. Live events and publications reinforce these messages.

Educational and training programmes for young riders and pre-riders are in development.

The county council also works closely with Hertfordshire Constabulary on the BikeSafe programme, a nationwide plan of action to reduce the number of motorcycle casualties by promoting safer riding and post-test training. By passing on their knowledge, skills and experience, Police motorcyclists help riders to become safer and more competent.

Messages to drivers, particularly in more urban areas where conflicts arise more frequently, will also be critical to ensuring riders of powered two wheelers remain safe on the county's roads

The county council has set up a Forum with a range of partners with an interest in motorcycle safety issues. Road safety generally is dealt with in section 3.3, Casualty Reduction and Prevention.

### **3.18 Quality of Life and Environmental Impacts (Air quality and noise)**

[The LTP3 Challenges addressed by this policy statement are set out at the end of this Policy Document (**Appendix 1**)]

Hertfordshire's distinctive mix of small to medium sized urban settlements juxtaposed with many smaller villages and surrounded by pleasant countryside has made the county an attractive place in which to live and work. Hertfordshire's proximity to London and its attractive environment has contributed to its growth, and the prosperity it now enjoys.

The county's dispersed settlement patterns is in itself a major generator of journeys and has led to a complex pattern of movement between towns with the overwhelmingly dominant mode being the car.

The challenging agenda the county now faces, particularly in relation to future growth pressures, means it is more important than ever to ensure the significant negative environmental impacts of transport, both those existing and from new schemes, need to be addressed and mitigated. Transport's impacts on the environment will remain an issue despite the county's aim to reduce the growth in car traffic and increase journeys by alternative modes.

The county council will aim to improve the Quality of Life of its residents by ensuring consideration is given to both the natural and built physical environment. Enhancing the quality of our town centres and supporting the historic built and natural landscape is important to Hertfordshire as is ensuring these areas can be accessed without reliance on the car.

The county council will seek to:

- A. Ensure that the impacts of traffic on the natural, built and historic environment are minimised and that the interests of the environment are considered in the county council's management of the network
- B. Protect and enhance the quality of public spaces both in urban and rural areas.
- C. Make sustainable travel more attractive to a greater number of residents and create an environment that attracts people into local areas to access services and facilities.
- D. Promote environmental awareness and encourage carbon reduction initiatives.

The county council aims to minimise the effects that transport has on the environment in both local and global (climate change) terms. It will continue to look at all aspects of its operations to reduce the environmental impact, from new road provision (see section 3.14) and the impact of traffic on our streets on other road users, to the type of street lighting used (light pollution) and the issuing of licences to cultivate highway verges. In line with the criteria set out in the Speed Management Strategy, 20 mph areas will be considered where appropriate.



This policy looks to address the wide range of environmental impacts that traffic and transport operations can have and which are listed generically in the Strategic Environmental Assessment report accompanying this LTP.

The county council will monitor the performance of implemented schemes, including traffic calming measures, to assess environmental impacts. As regards street lighting all new equipment installed is chosen with environmental issues such as energy and light pollution reduction measures in mind.

The council will also use its influence to promote environmental awareness amongst the residents of Hertfordshire and its own staff to ensure that policies are translated into practical action. The achievement of this policy is closely linked to the achievement of the Speed Management policy.

### **Air Pollution**

Air pollution has many significant adverse affects on people's health, and can be damaging to flora and fauna in general. Whilst transport is only one of the many sources of air pollution nationally it is the largest single contributor for several pollutants (i.e. nitrogen oxides and carbon monoxide).

The impact of transport emissions will vary due to local conditions. However, in general, emissions are directly related to the volume of traffic and the effect on human health decreases with increased distance from the source for several major pollutants. As a result local air quality tends to be worse in congested urban areas.

The county council will seek to:

- A. Reduce the levels of emissions from road traffic which affect human health and local flora and fauna.
- B. Reduce the volume of traffic in areas and in time periods where emission levels are causing locally poor air quality.
- C. Encourage the through traffic to use the Primary Route Network where possible to avoid major urban areas.
- D. Work with District / Borough councils to monitor and assess air pollution levels. Where a District / Borough council declares an Air Quality Management Area as a result of its' review and assessment process, the county council will work in partnership with the District / Borough councils to create and deliver action plans.

### **Monitoring Air Pollution**

The Environment Act 1995 introduced a duty on all local authorities to review air quality within their district by June 2000 and forecast the likely air quality in 2005. This review assessed seven air pollutants against national health-based standards and where these objectives were not met, the council needed to declare the area affected as an "air quality management area" (AQMA). Within the air quality management area, action has to be taken in order to ensure that air quality meets the prescribed standards, this is achieved through the delivery of Joint Action Plans.

Of the AQMAs declared in the county to date all are seriously affected by emissions from road traffic. The Joint Action Plans seek to deal with the pollution sources,

including the traffic, with solutions varying according to the nature of the prime sources.

Local authorities have been assisted in carrying out their air quality review and assessments by the formation of the Herts and Beds Air Quality Network Group (formally known as the Herts and Beds Air Pollution Monitoring Network).

The County Council will continue to liaise with the Herts and Beds Air Pollution Monitoring Network, ensuring that there is a continuous two-way exchange of information. This liaison will be particularly important if Action Plans to improve air quality involve traffic related solutions.

Part of the gathering of information on pollutant emissions involved obtaining traffic flow data from the county council, to enable the district authorities to advise the county council of areas where they felt traffic flow may be contributing to air quality issues.

The review and assessment process has also allowed the local community to become involved. This has been by firstly inviting interested parties and groups to relay details of their own areas of concern, and secondly through public consultation.

## Noise

Transport movements typically create noise both from individual vehicles, lorries, railway trains and aircraft, and from the combined roar of continuous traffic on major roads. Complaints about aircraft noise are usually made direct to the airports. Complaints about road and rail noise are typically made to District / Borough Environmental Health departments but are relatively few. However, it is recognised that continuous traffic noise can have an effect on human health, and can affect the habitats of birds and other wildlife.

The county council will seek to:

- A. Ensure that the noise impact of the road is minimised where new road building is undertaken.
- B. Address local noise issues as raised in Urban Transport Plans and elsewhere.
- C. Use noise-reducing road surfaces where appropriate.
- D. Work in partnership with rail and aircraft operators to address the issues of rail and aircraft noise.

The UK Environmental Noise Regulations 2006 require DEFRA to prepare strategic noise maps (for local urban areas (agglomerations), major roads, major railways and major airports) to show noise levels. Following this, the production of Action Plans is expected with the aim to manage and reduce environmental noise and preserve environmental noise quality where it is good. The county council will be required to work in collaboration with DEFRA (where required) to produce the Action Plans and seek to achieve the objectives outlined within them.

Noise is a by-product of transport which cannot ultimately be avoided. Certain types of vehicle, HGVs and some motorcycles, can be particularly noisy and elements of the road itself, gradients and sometimes road humps, can add to the problems.

However, there are a number of actions to minimise transport related noise. Included within these are: quieter tyres on existing vehicles; noise-reducing surfaces where they are cost effective and do not compromise safety; noise barriers and other noise screening to highway structures and roadwork's, and cost effective plans for the design, operation, monitoring and maintenance of roads and railways.

The Urban Transport Plans (section 3.29) should identify locations where road noise is a problem and can consider what solutions may be employed. Elsewhere the noise mapping process and residents' complaints may identify areas for study. However, given that noise measurements taken in these areas are done so over a period of time, they do not always reveal the level of problem that residents identify and it must be recognised that there is not always a clear remedy.

The Highways Agency is currently implementing a programme to resurface motorway and trunk roads with noise-reducing materials, particularly near residential locations. Noise reductions of between 2dB(A) and 5.6dB(A) have been achieved in Hertfordshire, but other properties such as skid resistance and durability have not yet been proven.

### 3.19 Reduction of Travel Need and Car Usage

[The LTP3 Challenges addressed by this policy statement are set out at the end of this Policy Document (**Appendix 1**)]

The county council will aim to reduce the growth in motor traffic on roads, and minimise its environmental impact, especially during peak periods. Providing for the predicted levels of car growth on both the majority of the main road network and within towns would not only be prohibitively expensive, but would increase levels of emissions contributing to climate change and threaten the quality of the environment. Like many other authorities and bodies the county council does not wish to see this growth take place and considers that policies need to be in place both nationally and locally which will reduce the growth without causing economic disadvantage to the county and nation.

The county council will seek to:

- A. Reduce traffic growth by reducing the need to travel and encouraging the use of alternative forms of transport.
- B. Promote a change in people's travel behaviour to encourage a shift in journeys from cars to passenger transport, cycling and walking, which will reduce emissions.
- C. Increase the proportion of journeys made by alternative modes of transport to the car.
- D. Improve accessibility by sustainable modes to major trip generation locations such as town centres and retail and employment areas.
- E. Encourage the location of new development in areas where sustainable modes can form a real alternative to the car.

The overall aim of this policy is to reduce the dominance of the private motor car in order to:

- Contribute to national actions on climate change by reducing CO<sub>2</sub> emissions.
- Minimise congestion and the detrimental effect it can have on the economy of the country.
- Reduce local air pollution.
- Improve the health of residents as they use more active modes such as walking, cycling and passenger transport.

In this context the county council will support measures which:

- Remove the need for vehicle journeys to be made.
- Reduce vehicle journeys in congested periods and where feasible reduce their length.
- Promote and support sustainable modes, including buses, cycling and walking and alternatives such as car sharing, for all and ensure particular provision is made for disadvantaged groups
- Maintain and promote a good quality Rights of Way network
- Encourage active modes of travel including for pupils walking or cycling to school and for business journeys and commuting.

Reducing the need to travel and promoting the use of sustainable modes, including walking, cycling, passenger transport and car sharing, is fundamental to realising the county's transport policies and the other sections in this document set out more detailed policies and interventions aimed at achieving this overall aim. The range includes promotional work to change behaviour and the way people think about travel, travel planning (section 3.28) and the role of business to achieve more working at home and change commuter travel patterns in timing and mode, and policies regarding the location of new development and how they can best be served. Addressing sustainable access to services as outlined in policy 3.1 should also be considered. Provision of cycle training, including for adults, through the national Bikeability scheme can encourage more people to cycle through building skills and confidence levels.

The development pressures facing Hertfordshire over the next 20 years will see significant major residential and other developments which will need to be integrated into the transport system if they are not going to result in unacceptable levels of additional traffic on already congested routes. Within existing urban areas the county's Urban Transport Plans and Rights of Way Improvement Plan are aimed at delivering the policies for traffic reduction and improved accessibility by sustainable modes.

#### **Road Traffic Reduction Act**

The Road Traffic Reduction Act 1997 requires local traffic authorities to carry out an assessment of the current and future levels of traffic on their road network, and then to establish targets for the reduction in actual flows or the rate of traffic growth.

Targets have been set as part of delivering the policy as explained in volume 1 of the LTP. However it must be recognised that in any location traffic levels may change as a result of new development even when that development is fully integrated into the wider network including the passenger transport network.

## 3.20 Road Hierarchy and Network Development

[The LTP3 Challenges addressed by this policy statement are set out at the end of this Policy Document (**Appendix 1**)]

The county council will maintain and develop a road hierarchy so that traffic is concentrated onto roads appropriate to its journey purpose. Further development of the county hierarchy network is being done as part of network management to ensure different sections of road within the hierarchy are treated in accordance with their character.

This section and the policies should be read in conjunction with sections 3.14 New Roads and Highway Improvements and 3.8 Development Control. The county's guidance 'Roads in Hertfordshire' provides further details on road design and requirements.

Improvement proposals, maintenance allocations and environmental standards all relate to the different hierarchy levels so that a road's character is developed to best suit the function which it has to fulfil. In this way the large volumes of through traffic, particularly heavy goods vehicles, are concentrated on the main roads and are kept away from local roads. The local roads can then be developed to give greater priority and safety to pedestrians, cyclists, shoppers and residents. The current hierarchy map is shown in volume 1 section 3 of LTP3.

The hierarchy of roads adopted by the council, the primary journey purposes and functions which they should fulfil, and the type of standards, improvements and character appropriate for them are summarised in the Explanatory Notes below. The council will continue to develop and maintain strategies for roads within the urban and inter urban network in line with this policy.

The county council will develop and maintain strategies for roads within the urban and inter urban network that:

**A. On Primary Routes:**

- Encourage through traffic and HGVs to use primary routes;
- Not allow existing or new developments to have direct access except where special circumstances can be demonstrated and such limitations will be rigorously applied.

**B. On Rural Main Distributor Roads:**

- Discourage through traffic from using rural main distributor roads.
- Not allow new access except where special circumstances can be demonstrated.

**C. On Rural Secondary Distributor Roads:**

- Encourage the functions of the village street to take precedence over providing for moving traffic in villages with particular emphasis being placed on reducing the speed of traffic.

- D. On Rural Local Distributor and Access Roads:
- Deter through traffic including rat running from using these roads;
  - Resist developments which would generate an unacceptable change in the amount or type of traffic.
- E. On Urban Main Distributor Roads:
- Manage traffic arrangements to encourage main flows onto main distributor roads;
  - Restrict parking along them;
  - Where appropriate implement bus priority measures;
  - Make adequate provision for the safe crossing of pedestrians and cyclists;
  - Not allow new access except where special circumstances can be demonstrated;
  - Not improve urban roads solely for capacity reasons.
- F. On Urban Secondary Distributor Roads:
- Only carry out improvements specifically aimed at making them safer;
  - Improve conditions along them for cyclists and pedestrians;
  - Where appropriate implement bus priority measures;
  - Not improve urban roads solely for capacity reasons.
- G. On Urban Local Distributor and Access Roads:
- Where appropriate designate environmental areas;
  - As opportunities occur, implement traffic calming and other measures to keep speeds down and improve safety.
  - Not improve urban roads solely for capacity reasons.
- H. Consider the 'place and movement' function of a road in conjunction with the hierarchy when assessing a highway proposal, whether county council or development promoted.

### ***Explanatory Notes***

## **Primary Routes**

These are roads which form the links between the most important traffic origins and destinations. Primary routes consist of motorways, trunk roads and the most important county 'A' roads. They will usually be built to a 70 mph (120 km/h) standard. Primary routes other than motorways can be identified by their green backed signs. They form the county's advisory lorry route network and should avoid urban areas and other settlements.

The county council will make capacity improvements to primary routes so that they are attractive for through journeys, providing that the improvements are environmentally acceptable.

Improvements to Primary Routes will be appropriate where they bring about environmental benefits to communities by the removal of through traffic or rat-

running. Capacity improvements to reduce congestion may be appropriate in some cases.

Each situation will be assessed on its merits, but in general the county council does not support the widening of motorways beyond the existing highway boundary. Widening beyond 4 lanes will be strongly resisted.

Further work will be initiated to determine the environmental impacts and other implications of, and the alternatives/options to, the widening of motorways.

## Rural Roads

### Rural Main Distributor Roads

These roads connect the main towns with the Primary Route Network and link neighbouring towns within the PRN grid. Single carriageways will usually be adequate. Main distributor roads consist of those county 'A' roads which do not form part of the Primary Route Network and are identified by the white backed signs.

### Rural Secondary Distributor Roads

These roads connect the important rural settlements to each other and to the main distributor network. They are the main access routes to rural areas and are classified 'B' roads.

### Rural Local Distributor and Access Roads

These are the country lanes which give access to adjacent land.

Cases for improvement on environmental and safety reasons will be rare as traffic flows should be low but when undertaken the rural nature of the road will be paramount.

Developments on Rural Local Distributor and Access Roads which would generate a change in the amount or type of traffic will be resisted in the following circumstances:

- Where there is an increased risk of accidents;
- Where the road is poor in terms of width, alignment and/or structural condition;
- Where increased traffic would have an adverse effect on the local environment either to the rural character of the road or residential properties alongside it.

Development off a road of poor condition could be acceptable if the following conditions are met:

- i) the development is within 1 km of the distributor road network;
- ii) the developer provides improvements to the local road which satisfy environmental, safety and capacity conditions and Rights of Way Improvement Plan measures.



This policy and criteria will particularly apply to recreational developments which could attract large numbers of visitors, albeit on only one or two occasions each year.

## Urban Roads

Primary Routes will not usually pass through urban areas, and where they do so, bypasses may be considered. However, it will still be appropriate for a hierarchy of the roads to be developed in urban areas so that roads can be developed to best fulfil their most appropriate function.

As the county council does not wish to encourage car use in urban areas it will not improve urban roads solely for capacity reasons.

Any urban road improvement will need to satisfy one or more of the following:

- Have substantial environmental benefits such as enabling traffic to be taken out of a town centre which sufficiently outweigh any environmental disbenefit;
- Have the primary aim of reducing road accidents;
- Be necessary to enable urban redevelopment or urban regeneration proposals to proceed.

### Urban Main Distributor Roads

These are the main roads which distribute traffic within towns, around town centres and link town centres and main industrial areas to the Primary Route Network. Urban Main Distributor roads will be designated 'A' roads with white backed signs.

### Urban Secondary Distributor Roads

These roads will connect important urban neighbourhoods to each other and to the Main Distributor roads, and form the distributor routes through large residential areas. Secondary Distributor roads will normally be designated 'B' roads and it is appropriate for these to be bus routes.

### Urban Local Distributor and Access Roads

Vehicles will be discouraged from passing through areas within the distributor road network. The main function of these roads will often be estate roads to provide access to properties and the aim will be to keep vehicle speeds low.

Highway improvements on non-primary urban routes will normally only be carried out as part of an overall transport plan for an area or for highway safety reasons.

Where the improvements are part of a plan, then it must be necessary to either:

- i) Enable more effective use of passenger transport, walking, cycling or horse riding;
- ii) Result in significant environmental benefits;
- iii) Assist urban regeneration.

Within urban areas Route User Hierarchies will be established to show the streets which are most suitable for different users, typically pedestrians, cyclists, passenger transport vehicles and other vehicles. The hierarchies will be established through Urban Transport Plans (section 3.29).

### **Consideration of Place and Movement**

In terms of highway design and layout Manual for Streets (MfS)<sup>6</sup> supersedes government guidance on highway design set out in Design Bulletin 32 (DB32) and its companion guide Places, Streets and Movement (PSM). In MfS the balance of the 'place' and 'movement' functions of a highway is the primary consideration in deciding whether a highway is a 'street' or a 'road'. From this flow the objectives for its role in the network and appropriate design criteria.

The status of a highway in the Road Hierarchy is a strong indicator of its function. Primary routes and Main Distributor roads carry large volumes of traffic. Freight is directed along such routes which are A and B class roads. In general the standards set out in the Design Manual for Roads and Bridges (DMRB) and HCC guidance Roads in Hertfordshire will be used on roads which are classified as Primary or Main Distributor roads.

However, at locations on Primary or Main Distributor roads where it can be satisfactorily demonstrated that the 'place' function outweighs the 'movement' function (i.e. the characteristics of the highway and built environment are such as to warrant design considerations from MfS) the recommendations of MfS will be applied. MfS should only be used in 60kph (37mph) or lower speeds. When the speed on a high class road is less than 60kph (37mph) and it has significant 'place' function then the recommendations of MfS in terms of visibility and layout will be applied.

It is the responsibility of users of MfS to ensure that its application to the design of streets not specifically covered is appropriate. The Stopping Sight Distances (SSDs) required for HGVs and buses are considerably longer than those stated in MfS and are more in accordance with those stated in DMRB. All roads, irrespective of class or classification, which have a regular bus frequency or significant HGV usage (defined by a percentage of total traffic flow and/or Road Hierarchy designation), should have an appropriate SSD requirement to accord with DMRB rather than the recommendations contained in MfS, to allow HGVs and buses to slow and stop safely.

### **Future Developments**

For the Primary Route Network, the county council's aim is to complete the strategic east-west routes to enhance links within the East of England Region. The county

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<sup>6</sup> Manual for Streets (MfS) published by the Department of Communities and Local Government and Department of Transport on 29<sup>th</sup> March 2007 and Manual for Streets 2 - Wider Application of the Principles published by the Chartered Institution of Highways and Transportation (CIHT) on 29 September 2010

council intends to make improvements to the A120 around Little Hadham. This scheme will divert the Primary Route Network link to the A10 away from Little

Hadham, bringing much needed environmental benefits to the village and relieving a major bottleneck including for traffic travelling to and from Stansted Airport .

The county council also supports the following schemes proposed by DfT on motorways and trunk roads:

- Widening M25 Junctions 16-23

- Motorway management M25 Junctions 23-27

- M1 Junction 11A – A5 Dunstable Bypass

The more local schemes supported by the council are referred to in the Implementation Plan which forms part of the LTP.

### 3.21 Rural Transport

[The LTP3 Challenges addressed by this policy statement are set out at the end of this Policy Document (**Appendix 1**)]

There are a range of definitions as to what comprises rural but there is no doubt that Hertfordshire has a significant rural area. In approximate terms it accounts for 80% of the county and is home to over 200,000 residents. However the nature of the county is such that Hertfordshire's villages are no more than 5 miles from a town and this contributes to the complex journey patterns typical of the county.

Inevitably the majority of these journeys are by car with the county as a whole having high levels of car ownership and car availability. However within the rural areas there are people for whom the car is not an option and who have difficulty accessing important services. At the same time the county's overarching policies to reduce the need to travel and increase use of sustainable modes are arguably more difficult to achieve in rural areas.

The county council will seek to ensure that transport services in rural areas enable people to access important destinations and services and contribute to reducing the dominance of the car as the favoured mode of transport.

The county council's approach to rural transport policy is detailed in a Rural Strategy that sets out its aspirations for rural transport though this is to be read in conjunction with the county's other strategies, such as the Bus Strategy and Rights of Way Improvement Plan, and the other policies in this document. The Strategy takes account of the most recent Government guidance on rural issues<sup>7</sup> which presently means the key themes are; to provide local services; a stronger role for communities; recognise the importance of the car; provide quality passenger transport and co-ordinate services; improve rural road safety; reduce the impact of traffic in rural areas and encourage cycling and walking.

The main areas of work, in conjunction with partners and villages and parishes, are likely to be; investigating traffic related problems; facilitating cycling and walking and increasing the use of the Rights of Way Network for journeys; considering issues of passenger transport to make it more responsive to people's real needs and, where feasible, improving access to services. Promotion and provision of information will be a key element as will the promotion of leisure (and healthy exercise) in the countryside.

The role of the voluntary sector in providing transport in rural areas will also be considered within the strategy.

<sup>7</sup> The present guidance is the Rural White Paper, 'Our Countryside: The Future, A fair deal for Rural England', published in November 2000 and restated in the HCC 2004 Rural Strategy

The treatment of identified transport issues and the potential schemes and measures to address them are explained in the introduction to this document (section 1). Proposed schemes have to qualify for the programme for implementation which is reviewed annually.

# Appendix 7:

## Statutory Consultee responses





## PLANNING & BUILDING CONTROL

Tracy Harvey - Head of Planning & Building Control

My ref: 5/2017/2733

Please ask for: Sarah Smith

Telephone: 01727 866100

E-mail: sarah.smith@stalbans.gov.uk

Date: 2 January 2018

Mr Chay Dempster  
Spatial Planning and Economy Unit  
Postal Point CHN216  
County Hall  
Hertford  
Herts  
SG13 8DN

By email

Dear Mr Dempster,

### TOWN AND COUNTRY PLANNING ACT 1990

Land to the north of Lower Luton Road, Harpenden, Hertfordshire

**Proposed development: 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**

I write further to your email of the 15<sup>th</sup> December 2017 with additional information and further to our comments of the 28<sup>th</sup> November 2017.

This application was discussed by Cabinet on the 21<sup>st</sup> December 2017.

Whilst the Council welcomes the application in principle, specific concerns have been raised, as set out below and Hertfordshire County Council as decision maker are requested to ensure that these matters are addressed along with those set out in my letter dated 28<sup>th</sup> November 2017 prior to a decision being made.

- 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.

Yours sincerely,

Tracy Harvey  
Head of Planning & Building Control

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**PLANNING & BUILDING CONTROL**  
**Tracy Harvey Head of Planning & Building Control**

Mr Chay Dempster  
Hertfordshire County Council  
Spatial Planning And Economy Unit  
CHN216 County Hall  
Hertford  
SG13 8DN

Our Ref: 5/17/2733  
Case Sarah Smith  
Officer:  
E-mail: [planning@stalbens.gov.uk](mailto:planning@stalbens.gov.uk)  
Date: 28 November, 2017  
Your ref: SLUP/CC0798 PL\0886\17

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990**

**Land At Junction Of Lower Luton Road And Common Lane Harpenden Hertfordshire**

**CONSULTATION ONLY: Proposed 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**

The above proposal was considered at the Council's Planning Referral Committee of 27th November 2017, where it was resolved that St Albans City and District Council recommend to Hertfordshire County Council as the decision maker that prior to making a decision they 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
- The following matters are 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.

Furthermore the proposal comprises Green Belt development which by reason of having greater than 1000sqm of floor space, together with its scale, nature and location would have a significant impact on the openness of the Green Belt and as such under The Town and Country Planning (Consultation) (England) Direction 2009 the decision maker, should refer this application to the Secretary of State for consideration as to whether it should be 'called in' for a decision by the Secretary of State.

If the County Council are minded to grant planning permission they are invited to attach the following conditions

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.

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
REASON To ensure that the finished appearance of the development is satisfactory. To comply with Policies 69 and 85 of the St. Albans District Local Plan Review 1994 and The National Planning Policy Framework 2012.

3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before (a) the use hereby permitted is commenced (b) before the building(s) is/are occupied or (c) in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details. 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.

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.

5. 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 buildings shall be submitted to and approved in writing by the Local Planning Authority before any work commences.  
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 and The National Planning Policy Framework 2012.

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.

7. 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.

8. This permission does not extend to the installation of external lighting. A scheme for such works shall be submitted to and approved in writing by the Local Planning Authority, before the development hereby approved is commenced.

REASON In the interests of amenity and highway safety.

9. No plant or machinery shall be operated on the premises before 7am on weekdays and 9am on Saturdays nor after 6pm on weekdays and 1pm on Saturdays, nor 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 and The National Planning Policy Framework 2012.

10. Construction work shall not begin until a scheme for protecting the proposed development from noise has been submitted to and approved in writing by the Local Planning Authority. 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.

11. Prior the commencement of development a phasing plan for the construction and occupation of the site, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be constructed in accordance with the approved details.

REASON In the interests of highway safety.

12. Phase 1 of the development shall not be occupied until the car parking and turning areas for phase 1 accessed from Common Lane shown on the approved plan have been constructed, surfaced and permanently marked out. The car parking and turning areas so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose at any time. Phase 2 of the development shall not be occupied until the remainder of the car parking shown The car parking and turning areas so provided shall be maintained as a permanent ancillary to the development and shall be used for no other purpose at any time.

REASON To ensure adequate parking provision at all times so that the development does not prejudice the free flow of traffic or the conditions of general safety along the adjacent highway, or the amenities and convenience 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.

13. The development shall not be brought into use until the proposed vehicle and pedestrian access(es) 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.

**14. No development shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include (a ) proposed finished levels and contours; (b) means of enclosure; (c) car parking layouts; (d) other vehicles and pedestrian access and circulation areas; (e) hard surfacing materials; (f) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); (g) proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc, indicating lines manholes, supports etc.); (h) retained historic landscape features and proposals for restoration where relevant; (i) existing trees to be retained; (j) existing hedgerows to be retained.**

**REASON To ensure satisfactory landscape treatment of the site in the interests of visual amenity. To comply with Policy 74 of the St. Albans District Local Plan Review 1994 and The National Planning Policy Framework 2012.**

**15. A landscape management plan indicating long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development or any phase of the development whichever is the sooner for its permitted use. The landscape management plan shall be carried out as approved.**

**REASON To ensure satisfactory landscape treatment of the site in the interests of visual amenity. To comply Policy 74 of the St. Albans Local Plan Review 1994.**

**16. No development shall take place until a schedule of landscape maintenance for a minimum period of five years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.**

**REASON To ensure satisfactory landscape treatment of the site in the interests of visual amenity. To comply with Policy 74 of the St. Albans District Local Plan Review 1994 and The National Planning Policy Framework 2012.**

**17. If within a period of five years from the date of the planting of any tree or plant, that tree or plant, or any tree or plant planted in replacement for it is removed, uprooted or destroyed or dies or becomes seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless otherwise the Local Planning Authority gives its written consent to any variation. The tree or plant shall be planted within three months of felling/dying or if this period does not fall within the planting season by 31 January next.**

**REASON To ensure satisfactory landscape treatment of the site in the interests of visual amenity. To comply with Policy 74 of the St. Albans District Local Plan Review 1994 and The National Planning Policy Framework 2012.**

**18. The presence of any contamination not previously identified that becomes evident during the development of the site shall be brought to the attention of the Local Planning Authority. An intrusive investigation will not necessarily capture all contaminants present; hence there is a need to keep a watching brief and to appropriately address any new sources discovered during excavation and development. No further development shall take place unless otherwise agreed in writing with the LPA.**

**REASON To ensure that adequate protection of human health is maintained and the quality of groundwater is protected. To comply with Policy 84 of the St. Albans District Local Plan Review 1994.**

**19. If piling is considered the most appropriate method of foundation construction, prior to commencement of development, a method statement detailing the type of piling and noise emissions, shall be submitted to and approved in writing by the Local Planning Authority. All piling works shall be carried out in accordance with the agreed details.**

**REASON In the interests of the amenities of residents of neighbouring properties. To comply with Policy 70 of the St. Albans District Local Plan Review 1994.**

**20. Prior to the commencement of the catering use hereby permitted a scheme for the ventilation of the premises, including the extraction and filtration of cooking fumes shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior**

to the commencement of the use hereby permitted. The applicants attention is drawn to the document entitled 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems', prepared by Netcen on behalf of the Department for Environment, Food and Rural Affairs (Defra).

**REASON** To safeguard the amenities of those premises nearby the application site and the appearance of the building as a whole. To comply with Policy 9 of the St. Albans District Local Plan Review 1994.

21. The development shall be carried out in accordance with the approved Flood Risk Assessment and maintained thereafter in accordance with the approved details.  
In order to ensure that surface water is adequately dealt with.

Please note that copies of all neighbour comments sent to us will be forwarded to you separately for your action.

Yours faithfully

A handwritten signature in black ink, appearing to read 'TH', followed by a long horizontal line.

Tracy Harvey  
**Head of Planning & Building Control**



**Sue Atkinson**

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**From:** Carl Cheevers <Carl.Cheevers@harpenden.gov.uk>  
**Sent:** 29 November 2017 09:49  
**To:** Spatial Planning  
**Subject:** Harpenden Town Council response to Planning Application PL\0866\17  
  
**Importance:** High

Dear Chay

Harpenden Town Council discussed our response to the KWS Planning Application at our Council meeting on Monday 27 November 2017.

At this meeting Council resolved to:

***Support the application, however express concern 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.***

Please could you confirm receipt of this response.

Kind Regards

Carl

Carl Cheevers  
Town Clerk  
Harpenden Town Council

Tel: 01582 463669  
Email: [carl.cheevers@harpenden.gov.uk](mailto:carl.cheevers@harpenden.gov.uk)  
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## **Wheathampstead Parish Council response to the Katherine Warrington School Planning Application Lodged by Hertfordshire County Council**

### **1.0 Site Search and History**

The Design and Access Statement for the school, written by Vincent and Gorbing outlines the history of the site selection for the school. Wheathampstead Parish Council has always had serious reservations about the methodology of site selection and the ultimate choice of this site. We still consider that the topography of the site to be poorly suited to the development of a large school and we consider that this proposal will cause significant harm both to the Green Belt that adjoins Wheathampstead Parish and to the immediate road network. However, we appreciate that there is a need to address the lack of school places for village children, both now and in the future and that this is the only current proposal for a secondary school for students from Harpenden and Wheathampstead. We also note that the vast majority of children from Wheathampstead will be allocated Katherine Warrington 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.

Our comments in relation to the planning application focus on these areas of greatest concern to us, and we ask that both Hertfordshire County Council and St Albans District Council listen to and act upon our legitimate planning concerns if this proposal is to proceed.

### **2.0 Topography**

There is a 38.12m level change across the site from the highest part in the north-east to the lowest part in the south west. We support the decision to locate the school buildings in the most logical place: the lowest south west corner. However, we are concerned by the significant degree of land reforming that is proposed and the volume of soil that will be pushed up to the north-eastern part of the site. The area is one of "high landscape sensitivity" (Design and Access para. 3.35). The significant land reforming, which involves cut and fill activity to create level areas, will result in the ground to the north east of the site increasing in height by up to six metres. We think that significant 'reforming' of the landscape will also occur as a result of accessing the site from the Lower Luton Road. This will completely change the nature of the site, therefore destroying the gentle natural rural transition from rural landscape to the edge of the urban settlement.

We are also concerned about the visual impact of the 2-3m high gabion wall, proposed as part of the athletics track, as it will be highly visible and urbanising. However, we also recognise that it is the least worst option for retaining soil and that, if done well, it can provide wildlife habitat potential.

### **3.0 Lighting on Site**

We have looked at the lighting plans proposed for the site and the design is relatively low key and appropriate for the rural setting. However, we are concerned that it only appears to cover utility lighting for the driveway, parking and pedestrianised areas of the school site. There is no indication of the requirements for sports lighting, although we know that sport pitch flood lighting will be requirement for use either by the school or by the community. Plans for the school indicate the location of sports facilities but not the detail of floodlighting. Invariably the 400m athletics track, which is noted as 'dark', will require floodlighting to be both accessed and used. This point potentially applies to access to the football pitches in the north-east corner of the site, as well as the tennis courts, MUGA court and sports centre which are closer to the school buildings.

The lack of indication of floodlighting is at odds with St Albans District Council policies on the same. Policy 80 states "planning applications including floodlighting will not be granted where the visual impact of floodlighting columns, intensity of lighting or glare would detract from the visual amenity of residential properties, rural areas or listed building and conservation areas; the provision of floodlighting would enable undue intensification or extension of a sports facility to the detriment of a residential area or character of rural area; and the presence of lighting would harm the ecology of an area."

We are concerned that the absence of any details of sports lighting is avoiding dealing with this aspect of planning at this stage. All lighting proposals for the present and future use and their impacts should be explicit within the planning application, particularly as this area is a sensitive Green Belt location where light pollution will be highly visible.

### **4.0 Green Belt—Design Choices**

We recognise that our thoughts which we believe make it unsuitable for a school site, such as those regarding the topography of the site, its location in the Green Belt and transport issues, have not been considered in the past and the proposal has progressed. Our response is therefore limited to design issues in relation to its location in Green Belt, rather than the principle of whether development is appropriate in the first place. However, we remain concerned about coalescence between Harpenden (Batford) and Wheathampstead and that as a result of this development only one field held in multiple ownership (Property Spy owners) will separate Wheathampstead from Harpenden. It is for this reason that we want to ensure that no 'creeping urbanisation' of the parts of the site closest to Wheathampstead and Mackerye End is subsequently allowed. This would include ensuring that any structures, seating, pavilions and lighting in the 'rural' parts of the site are not allowed in future and also not associated with this planning application.

We support the decision to locate buildings in the lowest part of the site, closest to the urban edge of Batford. We also support attempts to keep the height of the building to two stories to minimise the adverse impact on the Green Belt. However, the choice of red brick (the predominant material in the urban area) as the principal hard landscaping material shows insufficient thought and appreciation of the history of the site as agricultural land and its continued location in the Green Belt. NPPF and Local Plan policies on good design and development in the Green Belt apply, including St Albans District Council Policy 1 Metropolitan Green Belt, which states "New development within the Green Belt shall integrate with the existing landscape; siting design and external appearance are particularly important and additional landscaping will normally be required."

The design of the proposed building, which includes the range and choice of landscaping materials for paths, surfaces and parking is urban and reflects an urban landscape, which is not consistent with the rural setting of this school. The external appearance of the building is bulky, and while bulky structures (steel or timber barns) are not unusual in rural settings, large red brick structures are not consistent with rural location. Policy 69 in the St Albans District Local Plan states that "Large isolated buildings in rural or settlement edge settings shall be clad in materials that take account of the general colour and tonal value of their background". Policy 104 of the St Albans Local Plan refers to the Landscape Conservation Areas and the school site is within a Landscape Conservation Area. This requires that any development must "pay regard to setting, siting, design and external appearance".

**We believe that insufficient thought has been given to the choice and use of hard landscaping materials on the site and the layout closest to the school buildings. We also believe that the height of the sports centre is too high relative the height of the school buildings and is at odds with the overall desire to keep the school buildings as low and unobtrusive as possible.**

The photographs used to inform the materials on the site are taken from the immediate urban surroundings in Batford, with no reference taken from agricultural structures in nearby Mackerye End or Wheathampstead. We believe that reference to rural agricultural buildings would create connection with the rural heritage of this site. In particular, dark timber cladding is a common feature of older agricultural buildings in this area which we suggest would be more in keeping than red brick and white render.

Many of the landscaping materials used on site also fail to take account of the connection that the site has with the countryside beyond. Flint filled gabions, self-binding gravel, bound gravel, post and wire fencing and timber bollards are excellent choices for natural or natural looking materials that connect with the rural nature of the site. However, concrete block paving, concrete flag paving, macadam, concrete seating cubes and walls and the seating, dining, cycle shelters and cycle hoops that are proposed are not choices that sit well in the location.

We would want to see 'buff coloured macadam' used and would prefer to see resin bound gravel used instead of concrete block paving. We like the use of self-binding gravel paths in some areas away from the school. We also think that loose gravel retained within a cedagravel honeycomb is not a good choice as gravel will move and the honeycomb will become quickly exposed with wear. We would like to see a consistency of paved materials both in terms of colour (light coloured) and material (gravel/shingle). We would like to see seating/outdoor dining/shelters/bin storage etc choices that use natural materials i.e. wood that reflect the simplicity of the countryside, rather than steel, concrete and Perspex.

We think that the area in the centre of the school buildings is too urban and uses too many different materials to define areas. We would like to see more green spaces within this area, even if AstroTurf is used. We support thoughtful choices such as the inclusion of a herb garden, outdoor classroom and outdoor gym.

We would like to see the existing tree and hedge boundaries in all site locations strengthened and protected against future development. In particular, we would like to see many more trees planted on both existing hedge boundaries as well as tree planting to screen, where possible the building from the road and in other key locations. We note the tree choices in the landscaping plan but would like to see appropriate evergreen specimens included too, for example, *Pinus sylvestris*.

## **5.0 Flood Management**

The Flood Risk Assessment (MLM Consulting Engineers Ltd) identifies that an informal watercourse runs along the western boundary of the site (Common Lane) which drains 129 hectares of surrounding rural and residential land. Buildings and hard surfaces will account for 13% of the 17.20 ha site (Design and Access para. 6.6) and we have some concerns about the impact of hard surfaces on flooding, particularly in the south-west corner of the site. We recognise that flood attenuation through a planted basin and swales are proposed for the south and south-west areas of the site. We also recognise that the hard landscaping proposals include fully permeable surfacing in many areas of the site, although it is not clear what percentage is permeable and impermeable. We are concerned that the Flood Risk Assessment identifies that there is a risk of flooding of local infrastructure (roads) if the local sewers/drains are overloaded with flood water or become blocked (para. 10.4 Infrastructure Flooding).

We are also concerned that the ongoing maintenance of the planted basin, swales, permeable surfaces and onsite drainage will be managed by others and we see no evidence of the long-term management plan suggested by MLM, which is important to the on-going effective drainage of the site. There is also insufficient information about how the sports pitches will be drained and the impact on the overall site.

Our concerns about drainage are principally about the impact upon the Lower

Luton Road, if the drainage proposals either do not work as planned, fail through incorrect maintenance or are subject to extreme weather (cloud burst). We recognise that drainage calculations have been adjusted for global warming, but we are concerned that a combination of circumstances could result in flooding on the heavily used Lower Luton Road.

## **6.0 Transport Network and School Transport**

The transport logistics of the site location are by far the greatest concern of Wheathampstead Parish Council. Road safety along the heavily used Lower Luton Road teeters on the brink of traffic chaos at peak times. We are therefore concerned that if not extremely well managed, the impact of school buses, parental drop offs and large numbers of students trying to cross the Lower Luton Road and Common Lane all within a small window of time will cause both traffic chaos and significant risk of accidents.

Currently the route to school between Wheathampstead and Harpenden has been assessed as 'safe'. We do not consider the route to be safe, as the path is extremely narrow 60-75cm in places, traffic usage of the Lower Luton Road is extremely heavy at peak times and is also used by HGV's, buses, intercity coaches, cars and cyclists. The narrowness of the road and single path that runs alongside it in places means that it is not safe for travel on foot or by cycle to school. For example, when two large HGV's meet on the Lower Luton Road, one will frequently mount the pavement to ensure clearance when passing. We support the view in your transport analysis that neither walking nor cycling from Wheathampstead to the school is safe. The Lower Luton Road cannot be designated as a safe route to school.

We recognise that the proposed one-way configuration in and out of the site is probably the only viable option for traffic management around the site. However, we are very concerned about this configuration which we believe will affect the flow of traffic along the Lower Luton Road, increasing already bad congestion and increasing the risk of car/car and pedestrian/car accidents.

### **6.1 Risk of accidents using the Toucan pedestrian crossing**

We are very concerned about the risk of shunting accidents caused either by the pedestrian crossing or by school coaches/cars turning into the school site from Wheathampstead. We consider that the entire road surface that adjoins the entire width of the school site should be surfaced in a different material to the usual roadway macadam to ensure cars/coaches/HGV's slow down at entry to this 'problem area'. This could reduce the risk of car shunting accidents and/or pedestrian injury. We are dismayed to see that there appears to be no evidence of speed survey of traffic on the Lower Luton Road, when the risks of traffic volume and traffic speed related accidents generated by this proposal are a concern for many.

## **6.2 Risk of accidents at Common Lane**

Common Lane which adjoins the site is incorrectly described as "a two-way carriageway approximately 2.5km in length linking Lower Luton Road to Kimpton Bottom (B652)" (Design and Access para. 3.56) It is only a two-way road for a few hundred metres, the remainder is a single carriageway rural road with passing places. There have been numerous accidents at the Common Lane/Lower Luton Road junction in the past five years. The need to access the school site from either Common Lane (pedestrians/school staff cars/parents with cars) or Lower Luton Road (school coaches/parents with cars/pedestrians) will result in accidents unless the traffic management system is thoroughly and systematically worked out in advance of the school opening. We draw attention to the very real concern that increased traffic will compromise emergency vehicle access. Ambulances regularly attend the vicinity as it abuts the Lea Springs Residential Care Home.

## **6.3 Risk of accidents exiting the school site**

Your Transport Audit identifies that the topography of the site will make access from the Lower Luton Road difficult. The 'in/out' access into site are further up the hill and while the layout appears to make sense when viewed as a flat plan, we are worried that the height of the site relative to the road has not been fully taken into account when assessing the traffic risks. Your own report highlights the problem of the poor visibility splay caused by level changes when leaving the site.

We are also concerned about the lighting in this location and feel that better quality lighting is needed along this stretch of the Lower Luton Road, including highly visible lighting at both entry/exit points into the site. We note the engineer has suggested in the Transport Audit that the visibility splays for the entrance/exit onto Lower Luton Road will require significant cutting back of the existing banking in order to facilitate visibility. We are concerned that this will affect the footpath that currently runs alongside the Lower Luton Road and that there is a lack of clarity about how the school entrance cuttings/ghost island and footpath will work with the current 1.5-2m level change from the road onto the green field site.

We do not agree with the assessment from the Education and Skills Funding Agency, that "analysis of road casualty data has not revealed any identifiable existing collision issues associated with the expected movements generated by the proposed development, therefore it is considered that there are no existing road safety issues pertinent to the development of the site". In fact, the evidence of the county council's own Transport Audit highlights accurate safety concerns and in the past five years a total of 18 collisions occurred in this location. This includes Lower Luton Road between the junctions with Castle Rise and Pickford Hill, and Common Lane. Most collisions took place in the spring and autumn months, times of the year when schools are also at their busiest.

19.6% (225) of the school's 1,150 students are expected to be travelling from

**Wheathampstead. We believe that all students from Wheathampstead should be encouraged to use buses to travel to school. We consider that the pedestrian route to the school (Including cycling) from Wheathampstead is unsafe. We do not want to increase traffic volumes and associated accidents on the Lower Luton Road through increased car usage. We therefore suggest accessible bus transport between Wheathampstead and the school be made available, alongside extensive encouragement of parents and pupils to use dedicated school transport at peak times.**

**We reiterate our view that the current route to school is unsafe and as a result all children from Wheathampstead must be able to access statutory school transport funded by Herts County Council to Katherine Warrington School on the basis that the route is not safe. We also note that all figures for travel to school by bus assumed that 50% will travel by this mode. We would want all children from Wheathampstead to travel to school and return by bus, unless they are taking part in after school activities. Discounted use of public buses still amounts to hundreds of pounds per child each year and unless statutory school transport is implemented for Wheathampstead children, there will remain very high levels of parental cars trying to access the site or locations nearby for drop off and pick up.**

**We are very concerned about the volume of traffic that will result on Leasey Bridge Lane/Cherry Tree Lane as parents from Southdown attempt to access the school site from the other side of Harpenden. This narrow single-track road with passing places is already close to gridlock in the morning and is dangerous at both ends. Previous Herts County Council studies have highlighted the problems caused by too much traffic using this unsuitable road, but nothing is mentioned in this planning application and no solutions are proposed. We find this extremely disappointing.**

**We welcome improvements to existing walking/cycle paths between the proposed school to the Lea Valley Estate but we would also like to see a pedestrian crossing put in place near the junction of Marshall's Heath Lane and the Lower Luton Road. This would 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'.**

**This concludes our comments regarding the planning application.**





**Wheathampstead Parish Council response to the Katherine Warrington  
School Planning Application Lodged by Hertfordshire County Council  
Addendum re archaeological remains**

**Wheathampstead Parish Council is now aware of archaeological remains on this site including a locally rare rural cemetery. This burial site of potential national significance dates from the late 7<sup>th</sup> Century and is vulnerable to development and illicit activities such as night hawking. In the event of development being approved Wheathampstead Parish Council believe that excavation of this site is essential for the long term public benefit and for the acquisition of knowledge. This significantly outweighs any option to deep bury the cemetery in situ.**



**Land to the north of Lower Luton Road, Harpenden  
(Katherine Warlington School)**

**Planning Application: 5/2733-17**

**Addendum to response to planning application by Wheathampstead Parish Council dated 4 Aug 2017 (and 14 Nov 2017 for archaeology) following the submission of further Information.**

Wheathampstead Parish Council notes the additional information provided in support of this application for a new type of sustainable school, however we remain concerned about the viability of the site for a new school. The Local Transport Project Report refers to the lack of safe routes for cycle and pedestrian access especially east of Folly Fields.

Despite a detailed technical analysis of traffic movement and public transport there remain several outstanding issues:

- No regard has been given to the planned increase in traffic that will result from the recent plan to increase passenger numbers at Luton Airport by 50%. The Lower Luton Road is at near standstill at rush hour already without any additional traffic for the airport or the proposed school.
- In 2011 Mouchel examined the Lower Luton Road as a "safe route to school" and concluded that it was safe. The brief paragraph analysing the dangerous c1000m section of footway says:

*"Cross Lower Luton Road on the existing pelican crossing at the Folly Fields junction as the northern footway runs out shortly. The footway continues on the southern side of the road. From here the footway runs next to the main carriageway. It is narrow at 1.25m and pupils should really use this in single file but it should be wide enough. The carriageway is not wide either and on occasions large vehicles run close to the kerb face when dealing with oncoming traffic. In places, when this happens, nearside 'wing mirrors' can be an issue, but this can be addressed by 'siding out' the footway to increase its width. The road is a bus route, the St. Albans Area Lorry Ban should control the number of large HGVs but a significant number still use this route. The section suffering with 'wing mirror issues' is some 300m in length and would benefit from maintenance to side out the footway and cut back hedgerow bushes."*

It highlights the dangers of wing mirrors and the need to walk single file. It recommended 'siding out' the footway to increase the width. It claims it is 1.25m but in fact it narrows to 85cm in places. Siding out is flawed advice that cannot be delivered as most of the route is restricted by brick walls, lighting columns and other fixed obstacles. The carriageway itself is too narrow comfortably to cater for large vehicles without their mounting the pavement. The Parish Council has received complaints from residents along the road because of the damage caused to their driveways as a result. Tyre marks, broken kerbs stones and drain covers confirm this.

**It is reassuring that the Local Transport Project Report acknowledges the dangers of the Lower Luton Road and absence of a safe route for cyclists and pedestrians.**

**We therefore strongly recommend a full review of the Lower Luton Road as a safe route to school.**

- **There is no indication in this application as to how the numerous pinch points (one just before Marshalls Heath Lane and multiple others beyond Folly Fields) and safe road crossing from Leasey Bridge Lane to the east of the school can be dealt with. Given the above and the likelihood of all village children eventually attending this school, Wheathampstead pupils still have no safe route to get there – either by foot or by bicycle. The current footway is totally inadequate and dangerous for much of its length. There is a high probability that a child could be seriously injured or even be killed on these unsafe paths. The fact that the Travel Plan does not recommend walking or cycling between Folly Fields and the village confirms this view.**
- **The only safe way to overcome these shortcomings is to ensure village children travel on buses that can disembark and embark on the school site without causing gridlock on the Lower Luton Road. We suggest further land is purchased to enable buses to enter the site from Common Lane and not the Lower Luton Road.**
- **We see no incentive to ensure pupils take the bus option. There needs to be bus subsidy to achieve this. If the cost of using buses is high then parents will resort to driving their children and dropping them off and picking them at the site.**
- **Further, the new estimate of the number of parents who will drive their children to school is, in our opinion, underestimated and unrealistic.**
- **Too much emphasis is given to the extension of the 30 miles an hour speed restriction as a means of protecting the children and preventing accidents. The main danger comes from the inadequate safe route to school.**

**Wheathampstead Parish Council fully supports the need for a new school but remain extremely concerned that the access issues have not been adequately addressed for this site. We reiterate our previous concerns about the application.**

**9 January 2018**

Mr Chay Dempster  
Hertfordshire County Council  
County Hall  
Pegs Lane  
Hertford  
Hertfordshire  
SG13 8DQ

Highways  
PO Box 153  
Stevenage  
SG1 2GH

Email: [HighwaysPlanning@hertfordshire.gov.uk](mailto:HighwaysPlanning@hertfordshire.gov.uk)

Website: [www.hertfordshire.gov.uk](http://www.hertfordshire.gov.uk)

Our Ref:

Your Ref: 5/2733-17

Date: 15 January 2018

Dear Mr Dempster

#### **ADDRESS**

Land to the north of Lower Luton Road, Harpenden, Hertfordshire

#### **PROPOSAL**

Proposed 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

**Application No. 5/2733-17**

#### **DECISION**

Notice is given under article 10 of the Town and Country Planning (General Development Procedure) Order 1995 that the Hertfordshire County Council as local highway authority does not wish to raise an objection to this planning application subject to planning conditions.

#### **RECOMMENDED PLANNING CONDITIONS**

##### **NEW ACCESS TO COMMON LANE**

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**

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**

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**

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**

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**

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**

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)**

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

**Reason:** In the interests of highway safety.

## **AREA WIDE OFF-SITE PARKING RESTRICTIONS (PART B)**

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**



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**

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.

## **CONSTRUCTION MANAGEMENT PLAN**

Construction of the development hereby approved shall not commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The Construction Traffic Management Plan shall include details of:

- 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 order to protect highway safety and the amenity of other users of the public highway and rights of way

## **COMMENTS**

### **INTRODUCTION**

Hertfordshire County Council officers have met with the applicant's representatives to discuss the highway issues associated with the proposal. Our discussions have covered a wide range of issues relating to internal layout, off-site highway works and wider transport provision. The focus of our discussions can be summarised under several main subject headings:

- |                                    |           |
|------------------------------------|-----------|
| • Overview                         | Section 1 |
| • Internal Layout                  | Section 2 |
| • Traffic Impact                   | Section 3 |
| • Sustainability                   | Section 4 |
| • Travel Plan                      | Section 5 |
| • Parking                          | Section 6 |
| • Lower Luton Road - Highway Works | Section 7 |

This report considers each subject in turn.

## **1. Overview**

- 1.1 This planning application is for a new 6 form of entry (6FE) secondary school at land to the north of Lower Luton Road, Batford, Harpenden. The school will have a capacity of up to 1,150 pupils, made up of 900 pupils in the main school and 250 in the sixth form.
- 1.2 The school is expected to employ a total of 84 FTE (Full-Time Equivalent) staff upon full occupation of the site. Given the phased occupation of the school, staff numbers are expected to gradually increase broadly in line with pupil numbers.
- 1.3 Under current proposals, the school will open in temporary accommodation at the site in September 2018 and will have an initial Year 7 intake of 180 pupils. The main school building will then be constructed and a fresh intake of 180 pupils in each academic year, with full capacity expected by September 2024. Once the main school building has been constructed the temporary accommodation will become the sports hall.
- 1.4 The site is expected to have sports facilities available for community use. It should be noted that this community use would be outside of the typical network peak hours.
- 1.5 The site has two primary highway boundaries, Lower Luton Road to the south and Common Lane to the west. The applicant has carried out an assessment of the 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.
- 1.6 The primary access will take the form of two priority T-junctions to Lower Luton Road. A one-way loop will operate internal to the site, with the westernmost access from Lower Luton Road being entry only, and the easternmost access being exit only. Lower Luton Road is proposed to be widened within the site frontage in order to provide a central ghost-island right-turn lane at the site entry point, with capacity for approximately 5 vehicles.
- 1.7 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.
- 1.8 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.
- 1.9 The existing 30mph speed limit which terminates in the vicinity of the proposed school access will be extended eastwards towards Wheathampstead. Unfortunately, due to the orientation of the access arrangement, directly to Lower Luton Road, it will not be practical to introduce a 20mph school zone to cover the access layout. Lower Luton Road forms part of the county's main distributor road network, therefore due to

the nature of the route it is not considered feasible to introduce sufficient physical measures to support a 20mph speed limit.

- 1.10 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.
- 1.11 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.
- 1.12 Sixth form parking will not be permitted on-site and all on-site parking is expected to be reserved for staff and visitors. As with arrangements at other schools in Harpenden sixth form students driving to/from the school will be required to register their vehicle registration number, for the purposes of identification in the event of off-site parking issues.
- 1.13 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.

## **2. Internal Layout**

- 2.1 The internal layout has been the subject of further to discussions with the applicant. In relation to the main access from Lower Luton Road the latest revision is shown in Drawing LTP/2675/T1/05.01 (Car and Bus Drop Off Spaces). The access/egress operates as a clockwise one-way system. The junction layout has been the subject of a Stage 1 Safety Audit and recommendations have been incorporated into the design.
- 2.2 Due to the demand to access the school over such a narrow time period, when fully occupied the parking/pick up/drop off area will be congested. Therefore, to ensure the area is works efficiently it must be relatively free flowing.
- 2.3 The latest layout submitted by the applicant includes a number of internal road markings to ensure that appropriate circulation for both buses and cars is maintained within the site:
- The provision of double yellow lines around the offside of the internal road to ensure this lane is kept free of parking, allowing all vehicles, including buses to circulate around the site. Additional measures (e.g. signing) could also be provided on the offside to restrict stopping in this lane if necessary.
  - The provision of double yellow lines at all locations within the site where parking will be prohibited. These restrictions would still allow brief drop-off and pick-up trips to occur in the nearside lane.
  - The provision of a bus lane adjacent to the easternmost lay-by, to allow stacking space for up to 9 buses, whilst maintaining a traffic lane for other vehicles. This area would only be expected to contain the maximum number of waiting buses during the School PM peak, with staggered arrivals during the AM peak. The waiting restrictions will allow a bus to enter the site and proceed to the bus bays unimpeded, and cars will also be required to give way to departing buses on exit. This will allow for better bus circulation within the site and avoid any unnecessary delay for buses on exit.
  - Dedication of a row of parking to the western side of the car park for visitor and pick-up parking, allowing a number of pick-up trips to occur away from the main internal loop.
- 2.4 The phased occupation of the school, will allow the on-site management of both car and bus drop-off/pick up can be reviewed by the school on an annual basis as part of the Travel Plan monitoring process.
- 2.5 The operation of the junctions with Lower Luton Road has been modelled and although it is noted that any queues at the site exit are predicted they will be contained within the site. In addition, 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.

## **Recommended Conditions**

### **New Access to Common Lane**

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

### 3. Traffic Impact

- 3.1 The proposed school will have capacity for 1,150 pupils consisting of 6 form entry (6FE), up to 180 pupils in each academic year (Years 7 to 11) and 250 pupils in the sixth form.
- 3.2 Under the current proposals, the school will open in temporary accommodation at the site in September 2018 with an initial Year 7 intake of 180 pupils. The main school building will be constructed for occupation by entry of second year intake and 180 pupils in each academic year thereafter, with full capacity expected by September 2024. Once the main school building has been constructed, the temporary accommodation will become the sports hall.
- 3.3 The school is expected to employ a total FTE of 84 staff. Given the phased occupation of the school, staff numbers are expected to gradually increase in line with pupil numbers.
- 3.4 In the Transport Statement (Table 9) provides a summary of school catchment area and the amount of pupils predicted to attend:

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

(TA Table 9: Proposed Pupil Distribution Split)

- 3.5 Table 10 from the TA summerises catchment area/pupil numbers and distance from site.

	0 – 1km	1 – 2 km	2 – 5km	5km+	total
Pupils	151	141	442	416	1,150
% Pupils	13.1%	12.3%	38.4%	36.2%	100%

(TA Table 10: Proposed pupil distance from site)

- 3.6 Table 9 demonstrates that 292 pupils (25.4%) are expected to live within a 2km and are therefore likely to be within a suitable walking distance. "Acceptable" walking distances will obviously vary between individuals and circumstances and will depend

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**

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.

on various factors. However, 2km is considered to be an industry standard distance and originates from 'Guidelines for Providing for Journeys on Foot' (IHIT 200).

- 3.7 The 2km distance is a key factor for this proposal as the school catchment area extends to cover Wheathampstead which is predicted to generate 20% of pupils. The centre of Wheathampstead is approximately 3.5km from the site and therefore for analysis purposes not considered to be within walking distance. The section of Lower Luton Road between the site and Wheathampstead has been assessed as a school walking route against road safety audit guidelines and judged 'not to be safe'. Therefore, for analysis using modal split, pupils from Wheathampstead are included in the 38% (442 pupils) expected to live within a 2-5km distance of the site and will travel by bus.
- 3.8 Normally, distances between 2km and 5km would be ideal for cycling. Unfortunately, in this case the only practical route available is along B653 Lower Luton Road. Although the applicant will extend the 30mph speed limit to cover the complete section being between the site and Wheathampstead the nature of the road (and pinch points) rule out the opportunity to provide suitable cycling facilities. The applicant will carry out improvements to the route which will include extensive vegetation clearance and 'siding out', which should effectively increase carriageway and footway widths, which combined with other works will lead to a safer more attractive route. In the section of Lower Luton Road between Valley Rise and the school entrance the footway will be increased to a minimum 3m width. The majority of pupils attending the school originating from Wheathampstead are expected to travel by bus.
- 3.9 Pupils living in excess of 5km of the school are expected to be largely reliant upon car or bus services to travel to and from school, although a small number of pupils may be expected to cycle.
- 3.10 The baseline modal split based on original 'Highways and Access Feasibility Study – 2017 Review' (Stomor, 2017) is listed in Table 13 of the TA

Mode	Percentage	No. Pupils
Walk/Cycle	24.5%	282
Car Share	11.4%	131
Car/Taxi	28.6%	329
Bus	35.5%	408
<b>TOTAL</b>		<b>1,150</b>

(TA Table 13 – Baseline Modal Split)

- 3.11 As a result of the package of sustainable transport improvements, most notably the enhancements to bus services, the applicant predicts the following 'enhanced' pupil modal splits will be achieved. It should be noted that for capacity analysis purposes the applicant has included 'baseline' modal split calculations in the TA alongside an 'enhanced split' for sensitivity testing purposes.

Mode	Percentage Pupils	No. Pupils
Walk/Cycle	25.6%	294
Car Share	5.1%	59
Car/Taxi	12.8%	147
Bus	56.5%	649
<b>TOTAL</b>		<b>1,150</b>

(TA Table 15 – Enhanced Modal Split)



- 3.12 The number of two-way vehicle trips likely to be generated by the school peak periods is outlined within Table 16 of the TA. Reductions have been applied to allow for a proportion of trips taking place either side of peak periods (due to extracurricular activities/after school clubs, etc) a deduction has also been applied to allow for existing trips which may already be taking place on the highway. The table below summarises total predicted vehicle trip rates

	Baseline Modal Split- Vehicle Trip Generation			Enhanced Modal Split – Vehicle Trip Generation		
	Arrivals	Depart	Two Way Trips	Arrivals	Depart	Two way Trips
<b>AM Peak</b>						
Pupil Trips	253	253	506	114	114	228
Staff Trips	32	0	32	32	0	32
Total	285	253	538	146	114	260
<b>PM Peak</b>						
Pupil Trips	200	200	400	90	90	180
Staff Trips	0	27	27	0	27	27
Total	200	227	427	90	117	207
<b>Network PM Peak</b>						
Pupil Trips	40	40	80	18	18	36
Staff Peak	0	14	14	0	14	14
Total	40	54	94	18	32	50

(Based on TA Table 19 Two Way Total Vehicle Trip Generation)

#### Off- Site Highway Works

- 3.13 As part of pre-application scoping discussions, HCC expressed concerns about significantly increasing capacity on the Lower Luton Road corridor as this may encourage additional through-traffic, to the detriment of residents of Batford, Harpenden and Wheathampstead. However, it is acknowledged that a balance between mitigating against the impact of the development and providing measures to promote sustainable travel needs to be struck. Nevertheless, it should also be noted that there is a limited corridor width available on Lower Luton Road, particularly within Batford and at the Station Road junction, which effectively rules out the potential for major practical capacity improvements to be implemented. However, several junctions have been tested to understand the impact of the proposal.
- Lower Luton Road junction with Common Lane (mini-roundabout)
  - Lower Luton Road junction with Station Road (mini Roundabout)
- 3.14 In both cases, the junctions are currently operating above normal capacity criteria. By 2025 (year of school's full capacity) without any development background traffic levels are predicted to have increased leading to a slight worsening in current levels of congestion. During peak school arrival/departure times traffic generated by a secondary school will add additional pressure across the local road network. Individual modelling of both junctions demonstrate the scale of increase in congestion at these junctions, particularly during the AM peak period, when school arrival combines with road network peak.

- 3.15 There is little opportunity to improve the operation of the mini roundabout at Common Lane. The applicant offered a replacement layout consisting of a ghost island/right turn facility but on balance the highway authority prefers the existing arrangement to remain unchanged. However, as a result of the increase in demand on the Station Road mini roundabout improvements to the junction have been prepared. The scheme involves alterations to the existing kerb line on the western side of the roundabout to allow the provision of two lanes on the immediate Station Road and Lower Luton Road (W) approaches to the mini-roundabout. Alterations to the existing kerbed central islands are also proposed, to allow the provision of two approach lanes on the Lower Luton Road (E) arm.
- 3.16 Although it is accepted that the mini-roundabout will continue to operate above the capacity during all modelled periods, the proposed improvement scheme would mitigate against the impact of the development.
- 3.17 The highway authority agrees with the conclusion reached by the applicant that the proposed development will not have a severe impact on the operation local highway network. Therefore the proposals are considered to be in accordance with the *'National Planning Policy Framework'* (DCLG, 2012), which states that *"development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe"*.

### **Recommended Condition**

#### **Proposed Crossing/Capacity Improvements - Lower Luton Road/Station Road**

##### **Condition (A)**

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.

##### **Condition (B)**

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.

## 4. **Sustainable Transport Measures**

- 4.1 The package of sustainable transport improvement measures brought forward reflects HCC's request for greater emphasis towards sustainable transport.

### Walking

- 4.2 As previously outlined, guidance from the CIHT suggests that 2km as the preferred maximum walking distance for a number of trips, including commuting and school trips (IHT, 2000). Walking trips will therefore be promoted amongst pupils living within a 2km of the site, which includes large residential areas to the south and west.
- 4.3 A number of the proposed sustainable access improvements are focussed on improving the walking environment surrounding the school. Given that a large part of the proposed catchment area covers the Aldwickbury estate and Southdown areas, it is expected that a high proportion of pupils that walk to/from the site.
- 4.4 Walking trips will not be specifically promoted amongst pupils living outside of this 2km area, including pupils in Wheathampstead and Redbourn for example, although it is acknowledged that some pupils may choose to walk greater distance.

### Cycling

- 4.5 As outlined in the TA (Table 15), under the proposed modal split projections, a total of 25.6% of pupils could be expected to walk or cycle to school. The DfT state that *"in common with other modes, many utility cycle journeys are under three miles (5km), although, for commuter journeys, a trip distance of over five miles (8km) is not uncommon"* (DfT, 2008). Cycle trips would therefore usually be promoted amongst pupils living within a 5km of the site. Unfortunately, there are significant constraints to encouraging cycle access to the site, for example the topography of Harpenden and the availability of land which both limit the potential for improving cycle routes.
- 4.6 However, as outlined within the TA (Table 22 Section 8.2), a number of the proposed sustainable access improvements will include measures to encourage cycling, including:
- The provision of a toucan crossing on Lower Luton Road within the site frontage, connecting KWS with Crabtree Lane;
  - The provision of street lighting along Piggottshill Lane, a quiet lane which provides a link between KWS and the Southdown area;
  - The provision of traffic calming on Crabtree Lane; and
  - The provision of a shared-use foot/cycleway between KWS and Valley Rise to the east of the site.
- 4.7 It is expected that cycle trips could therefore be promoted amongst pupils living within the Lea Valley Estate to the west of the site, as well as the Aldwickbury estate and Southdown areas located to the south. A number of streets within Southdown are traffic calmed and provide a suitable environment for cycling. The Piggottshill Lane link will provide a quiet, lit cycle route to the site and the proposed traffic calming on Crabtree Lane will provide a safer environment. The proposed toucan

crossing within the site frontage will allow cyclists travelling to/from the south to safely cross Lower Luton Road.

### Access by bus

- 4.8 The proposed bus provision for the school has been informed by a detailed Public Transport Study and subsequent Supplementary Public Transport Note which provide information regarding the potential bus service improvements to be implemented as part of the development. These studies provide an outline of all bus services operating on schooldays within Harpenden and include a summary of routes, fares and times of operation. The study uses this information along with the proposed school catchment area, modal split projections and surveys of existing bus demand/capacity to determine the service improvements.
- 4.9 These improvements are based on the proposed pupil catchment data provided, and will need to evolve to meet the actual pupil catchment once the school becomes operational. It is therefore proposed to undertake an annual review of pupil postcodes relative to the available bus services as part of the annual Travel Plan monitoring process.
- 4.10 The school will work with HCC's Passenger Transport Unit, The School Trust and local bus operators (the Bus Delivery Group) to agree the bus service delivery plan, this part of the Travel Plan will be reviewed annually thereafter.
- 4.11 Under the enhanced modal split projections, a total of 56.5% of pupils are expected to travel to school by bus. As outlined within the applicant's 'Public Transport Strategy' document, in order to achieve this modal split, a total of 75% of pupils living in excess of 2km of the site will have to travel by bus. As outlined in the TA, a number of service improvements are proposed in order to facilitate sufficient capacity and services for the bus modal split to be achieved.

Area	Distance from Site	Total Pupils	Pupils by bus
Area 1 (Kinsbourne Green)	2 - 5km	5	4
Area 2 (New Mill End/East Hyde)	2 - 5km	10	8
Area 3 (Batford/Marshall's Heath)	0 - 1km	86	N/A
Area 5 (Central Harpenden)	0 - 1km	86	N/A
Area 6 (Hatching Green)	2 - 5km	10	8
Area 7 (Southdown)	1 - 5km	284	93
Blackmore End	2 - 5km	14	11
Flamstead	5km+	67	50
Hemel West & South	5km+	105	79
Kimpton	5km+	43	32
Redbourn	5km+	81	61
Sandridge	5km+	5	4
Welwyn & East	5km+	5	4
Wheathampstead	2 - 5km	225	169
Luton & North West	5km+	38	29
North Villages	2 - 5km	91	68
St Albans & South	5km+	29	22
<b>TOTAL</b>		<b>1,150</b>	<b>642</b>

(Table 21 TA – Projected Pupil Bus Use by Area)

- 4.13 Table 21 demonstrates that the greatest demand for bus travel is expected to be from Wheathampstead, Southdown, Hemel West & South, Redbourn and Flamstead areas, the majority of which are outside the typically recommended walking and cycling distances of the site.
- 4.14 As previously stated, the bus service improvements are based on the proposed pupil catchment data provided, and will need to evolve to meet the actual pupil catchment once the school becomes operational. The applicant has confirmed they will provide financial support for all additional bus service provision for 7 years from date of first occupation.

Off-site measures

- 4.15 In order to support sustainable travel a package of off-site measures will be delivered as part of the proposal. The measures include off-site highway works to improve routes for walking/cycling and junction improvements.
- 4.16 The measures are designed around the key routes likely to be used by pupils. Many of these improvement schemes centre on the Lower Luton Road corridor but also include improvements within the Southdown area, along the Crabtree Lane and Station Road corridors. A plan showing the locations of the proposed sustainable access improvements is included in the TA (Drawing No.LTP/2675/T1/01 Rev B) and listed in Table 22 and in Travel Plan Appendix 5.

Ref	Location	Improvement Scheme
1	Site Frontage, Lower Luton Road	Proposed accesses, right turn lane, toucan crossing, Mini-roundabout modifications, new bus stops, Crabtree Lane raised table, Common Lane new eastern footways
2	Site Frontage, Lower Luton Road & Crabtree Lane Speed Limit	Proposed 30mph Speed Limit extension and school zone to be agreed with HCC
3	Common Lane junction with Batford Road & Milford Hill	Proposed pedestrian dropped kerbs and tactile paving
4	Common Lane existing bus stops	Improvements to provide raised bus boarder kerbs
5	Lower Luton Road, west of Batford Road	Proposed pedestrian crossing improvements, either conversion to zebra crossing or upgrade to puffin crossing, subject to further investigations
6	Lower Luton Road junction with Southview Road, Pickford Hill & Porters Hill	Proposed pedestrian dropped kerbs and tactile paving
7	Lower Luton Road, east of the mini-roundabout with Station Road	Proposed pedestrian crossing improvements, either conversion to zebra crossing or upgrade to puffin crossing, subject to further investigations
8	Lower Luton Road, west of the mini-roundabout with Station Road	Proposed pedestrian crossing improvements, either conversion to zebra crossing or upgrade to puffin crossing, subject to further investigations

9	Station Road, south of the mini-roundabout with Lower Luton Road nr Coldharbour Lane	Proposed controlled crossing (zebra or puffin), subject to agreement with HCC
10	Station Road, near the junction with Marquis Lane	Proposed controlled crossing (zebra or puffin), subject to agreement with HCC
11	Lower Luton Road / Station Road Mini-Roundabout	Proposed capacity improvements
12	Station Road, between the connections with the Upper Lea Valley Greenway and Harpenden Rail Station	Proposed pedestrian improvements, dropped kerbs and tactile paving
13	Sun Lane, south of the double mini-roundabout with Hollybush Lane	Proposed pedestrian refuge island
14	Crabtree Lane, over the River Lea	Surfacing and lighting improvements (assumes no works to footbridge required)
15	Crabtree Lane, over the River Lea	Footbridge improvements if required by HCC
16	Crabtree Lane, between the junctions with Marquis Lane and Aldwickbury Crescent	Proposed traffic calming and pedestrian dropped kerbs and tactile paving improvements
17	Dalkeith Road, between the junctions with Crabtree Lane and Aldwickbury Crescent	Proposed pedestrian crossing improvements (dropped kerbs and tactile paving)
18	All of Piggotshill Lane, and Marquis Lane between Piggotshill Lane and Crabtree Lane	Proposed Quiet Lane link and street lighting improvements
19	All of Alzey Gardens	Proposed pedestrian crossing improvements (dropped kerbs and tactile paving)
20	Wheathampstead Road, west of the mini-roundabout with Piggotshill Lane/Alzey Gardens, and Piggotshill Lane, north of the mini-roundabout with Wheathampstead Road/Alzey Gardens	Proposed pedestrian crossing improvements (dropped kerbs, tactile paving and pedestrian refuge island)
21	Lower Luton Road, between site boundary to Valley Rise	Proposed footway / cycle track and pedestrian crossing improvements
22	Lower Luton Road, between Valley Rise and Folly Fields	Proposed footway improvements
23	Various, to be agreed	Proposed commuted sum or similar mechanism to be agreed with HCC to implement future parking restrictions / CPZ within school vicinity

(TA Table 22: Off-Site Sustainable Transport access Improvements (amended))

- 4.17 The principle of the schemes has been agreed with HCC, although there would still need to be agreement on the detailed design of the works following any planning approval. With the exception of the capacity improvements to the Lower Luton Road/Station Road mini-roundabout (scheme 11) where completion is considered necessary prior to second year intake, all other schemes would be implemented prior to occupation of the school.

*Scheme ref 14 & 15 Crabtree Lane over River Lea*

- 4.18 In relation to Scheme Ref 14 & 15 it was agreed with the applicant that the area listed as Crabtree Lane over River Lea is considered to be a significant importance that the extensive environmental improvement required will be sensitive yet far reaching to provide long lasting enhancements at an important junction. The applicant has stated that a scheme in this area will include hard and soft landscaping, vegetation clearance, lighting, footpath improvements and parapet improvements. It was agreed that alongside all other off-site works the scheme will be implemented prior to first occupation of development.

*Pedestrian measures - Lower Luton Road*

- 4.19 With specific reference to the eastern section of Lower Luton Road (between the site and Wheathampstead), the applicant has listed a scheme consisting of 'footway improvements'. In several sections hedges have grown up to directly abut edge of carriageway which has the effect of narrowing adjacent running lanes for larger vehicles. The applicant has clarified that the improvement scheme in this area is to include vegetation clearance both sides of the road, to re-establish highway boundary where encroachment has occurred. This should effectively restore carriageway width. Where footways are present, full vegetation clearance will also effectively widen usable width for pedestrians. To reinforce the vegetation clearance extensive 'siding out' will be carried out to both carriageway and footway throughout. However, there are sections, 'pinch points', where the extent of footway width is restricted due to historic highway boundaries. In these areas it is not possible to provide major improvements and, as a result, despite the improvements, the pedestrian route between the site and Wheathampstead has been specifically assessed against road safety audit guidelines and judged to 'not be safe'. This classification is understood to have implications in relation to the cost of public transport for pupils.
- 4.20 It is accepted that the overall package of off-site measures will help support the required modal split and also provide wider community benefits.

**Recommended Condition**

**Highway Improvements – Off-Site Sustainable Transport Improvements listed in Transport Assessment (Table 22) and Travel Plan (Table 5)**

**Condition 'A'**

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.

**Condition 'B'**

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.



## 5. **Travel Plan**

- 5.1 The applicant has submitted a Travel Plan which provides a strategy for encouraging all users of the site including pupils, staff and visitors to travel by sustainable modes of transport.
- 5.2 The overall transport modal split for pupils attending secondary schools across Harpenden is:

Mode	Split	Pupils
Walk/Cycle	24.5%	282
Car Share	11.4%	131
Car/Taxi	28.6%	329
Bus	35.5%	408
Total		1,150

(Travel Plan, Table 6: Baseline Pupil Modal Split)

- 5.3 The modal split in Table 6 reflects a reasonable baseline situation, however the applicant has used relatively ambitious 'enhanced' modal split throughout the preparation of the scheme that reflects the expected travel patterns. To deliver predicted modal split it is crucial that upon implementation the proposed package of sustainable access improvements, which includes walking and cycling infrastructure improvements and significant enhancements to bus services.

Mode	Split	Pupils
Walk/Cycle	25.6%	294
Car Share	5.1%	59
Car/Taxi	12.8%	147
Bus	56.5%	649
Total		1,150

(Travel Plan Table 7: Target Pupil Travel Harpenden)

- 5.4 Following extensive discussions the Travel Plan and delivery of the Public Transport Strategy, has been combined into a revised Travel Plan which outlines the proposed mechanism for delivery. The Travel Plan includes a review of the Intervention Strategy to provide more innovative measures and suggested trigger points for their implementation.

### **Recommended Condition**

#### **Travel Plan**

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.

## 6. **PARKING**

### **Internal**

- 6.1 The internal layout includes a total of 97 parking spaces (79 in the main site car park and 18 spaces provide in a smaller car parking area adjacent to the proposed sports centre served from Common Lane). The applicant has demonstrated that the parking provision complies with St Albans City and District Parking Standards. In addition, the proposed site layout also incorporates 19 parking/waiting spaces for drop off and pick up of pupils in cars and capacity for 4 buses (plus additional spaces if managed double parking occurs).
- 6.2 Initial parking calculations have been clarified by the applicant. At the time of the original planning submission, the school was expected to accommodate 95 FTE staff. However, the school trust have reassessed staffing levels and provided a fuller breakdown of staffing numbers, as shown in the Table below

Academic Year	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26
SLT	2.1	2.2	2.3	4.5	6	7	7	7
Teaching	8.5	15.5	22.5	29.8	34.2	42.5	46	46
Pupil support	1.6	2.1	3.2	4	4.6	4.6	4.8	4.8
Administration	4.8	9	9.9	12.3	14.6	14.6	16.9	14.9
Premises	1	2.6	2.6	3.4	4.5	4.8	4.8	4.8
Catering	0.9	2	2.5	3.6	5.1	5.1	5.1	5.1
Other	0.3	0.3	0.3	0.4	0.6	0.6	0.8	1
Total	19.2	33.7	43.3	58.0	69.9	79.2	83.4	83.6

(Additional information provided by applicant)

- 6.3 As stated by the applicant the maximum staffing at the school will be 84 FTE staff, lower than the previously predicted. The applicant makes the case that even if all of those 84 FTE staff require a parking space they can easily be accommodated with additional spaces available for visitors and any crossover period for part-time staff.

### **Off-Site Parking**

- 6.4 All parking associated with staff and visitors is intended to be accommodated within the site. However, only a proportion of pupil drop off is predicted to take place within the site.
- 6.5 The proposal will increase the demand to park in the area. In response, the applicant has prepared a scheme which consists of a series of waiting restrictions which are designed to ensure that any off-site parking relating to the school does not present a hazard. An outline scheme to show the type and extent of waiting restrictions has been prepared (Proposed Waiting Restrictions Drawing No.2675-AWP-S30-01). It is anticipated that the restriction will only be required prior to second year intake. The exact extent and type of waiting restriction (single/double yellow line) will require further consideration alongside extensive resident consultation.

- 6.6 In addition to standard parking restrictions the applicant is proposing a series additional waiting restriction and/or a Controlled Parking Zone which will sit alongside standard restrictions to help prevent any displaced and/or overspill parking causing a nuisance to residents. The details of further restrictions will have to be prepared in the future when the impact of the school and associated waiting restrictions have had a chance to become established. To ensure additional restrictions remain an option and the applicant has agreed to a planning condition that requires them, if necessary, to deliver a second phase of off-site parking restrictions in the form of either additional standard waiting restrictions or a CPZ.

#### **Recommended Condition**

##### **Area Wide Off-Site Parking Restrictions (Part A)**

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

**Reason:** In the interests of highway safety.

##### **Area Wide Off-site Parking Restrictions (Part B)**

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 a CPZ.

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

## **7. HIGHWAY WORKS - LOWER LUTON ROAD**

- 7.1 The introduction of a secondary school in this location requires a significant level of off-site highway infrastructure. In the vicinity of the school access/egress there will be a new bus stop layby (eastbound), toucan crossing and a series of enhanced pedestrian facilities. The applicant has also produced a revised proposal to extend the 30mph speed limit beyond what was originally intended to cover the complete section of Lower Luton Road between the site and Valley Rise to the east. To ensure the speed limit complies with HCC's Speed Management Strategy the applicant has prepared a revised indicative scheme (Extension of existing 30mph speed limit Wheathamstead to Batford, Drawing No. 2675-AWP-SL01-02) which includes a series of central islands, gateways, lining, street lighting and signage. The scheme submitted is likely to be subject to further revision, therefore a planning condition is recommended that requires the final design to be approved prior to first occupation. The final scheme will be required to be complete by first occupation of the school's second year intake.
- 7.2 Unfortunately, due to the orientation of the access arrangement, directly to Lower Luton Road, it will not be practical to introduce a 20mph school zone to cover the access layout. Lower Luton Road forms part of the county's main distributor road network, therefore due to the nature of the route it is not considered feasible to introduce sufficient physical measures to support a 20mph speed limit.

### **Recommended Condition**

#### **Highway Works - Lower Luton Road**

##### **CONDITION (Part A)**

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 Wheathamstead 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.

##### **CONDITION (Part B)**

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.

Yours sincerely

**James Dale**  
**Area (Mid Herts) Highway Development Manager**



Environment Director & Chief Executive:  
John Wood



Chay Dempster  
Spatial Planning & Economy  
Hertfordshire County Council  
County Hall  
Pegs Lane  
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Lead Local Flood Authority  
Post Point CHN 215  
Hertfordshire County Council  
County Hall, Pegs Lane  
HERTFORD SG13 8DN

Contact Sana Ahmed  
Tel 01992 556279  
Email [FRMConsultations@hertfordshire.gov.uk](mailto:FRMConsultations@hertfordshire.gov.uk)

Date 23 January 2018

**RE: 5/2733-17 - Land to the north of Lower Luton Road, Harpenden, Hertfordshire**

Dear Chay,

Thank you for consulting us on the above application for the construction of a new 6FE 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.

Following the review of the Flood Risk Assessment carried out by MLM reference FS0448-MLM-ZZ-XX-RP-C-9100 Rev P05 dated January 2018, we can confirm that we the Lead Local Flood Authority (LLFA) have no objection in principle on flood risk grounds and can advise the Local Planning Authority (LPA) 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.

It has been acknowledge that there is an overland flow route which crosses the site and as part of pre-application discussions between the LLFA and the applicants' consultants, it was agreed that as a minimum the risk of flooding to the highway (the Lower Luton Road) up to a 1 in 30 year rainfall event that results from this overland flow should be removed. 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. We, the LLFA, have conducted our own independent catchment assessment (copy included with this response) 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 proposed permeable pavements, sub bases to sports pitches and MUGA, swales and the below ground attenuation tank will provide sufficient attenuation to allow the discharge of surface water runoff to the infiltration basin at no greater than 7.1 l/s, equivalent to QBAR from the pre development site, for events up to and including the 1 in 100 year plus the 40% allowance for climate change.

Details regarding the capacity of the run-off diversion ditch have been provided along with long section plans. The calculations show that the peak flow rates anticipated for the 1 in 100 year plus climate change event can be accommodated within the open grassed ditch. Where the ditch crosses access roads to the site, a concrete box culvert section of 1m internal width and 0.75m internal height is proposed. A calculation of the capacity of these culverted sections has also been provided.

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.

#### **LLFA position**

#### **A. Pre-commencement conditions**

##### **Condition 1. Updated Infiltration and ground condition tests**

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.

**Condition 2. Provision of the final detailed site drainage strategy based on updated infiltration tests.**

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-0100 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.

**Condition 3. Confirmation of final overland flow management arrangements**

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.

**Condition 4. Final design and engineering details regarding the surface water ditch**

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.

Please note conditions 3 and 4 covering the final design details for the management of the overland flow have to be pre-commencement as it is our view that the management of this flow route will need to occur at the beginning of in the construction process in order to prevent flooding to the site during the construction phase.

**Condition 5. Management of surface water during construction**

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.

## **B. Pre-occupation conditions**

### **Condition 6. Implementation principles**

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>

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

**Condition 7. Detailed drainage strategy for the sports pitches and any landscaped areas on the site.**

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.

**C. Upon completion conditions**

**Condition 8. Completion and sign off for drainage system (possibly phased)**

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.

**Condition 9. Annual maintenance and reporting requirements**

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.

**Informative to the LPA**

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.

**Yours sincerely,**

**Sana Ahmed  
Sustainable Drainage Systems Officer  
Environmental Resource Planning**



<b>Landscape Report</b>		<b>10<sup>th</sup> November 2017</b>
<b>From:</b> HCC Landscape Officer, Natural Historic and Built Environment Advisory Team		<b>To:</b> HCC Planning Officer, Spatial Planning
<b>Application No.</b>	5/2733-17	
<b>Location:</b>	Land to the north of Lower Luton Road, Harpenden, Hertfordshire	
<b>Proposal:</b>	Proposed 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	

## **1. Landscape Policy & Guidelines<sup>1</sup>**

### **National Planning Policy Framework**

The NPPF<sup>1</sup> promotes the conservation and enhancement of the natural environment and good design, ensuring that developments respond to local character and are visually attractive as a result of good landscape design.

### **St Albans District Local Plan Review 1994**

- Policy 1 - Metropolitan Green Belt
- Policy 69 - General Design and Layout
- Policy 74 - Landscaping and Tree Preservation
- Policy 104 - Landscape Conservation

### **St Albans Strategic Local Plan 2011-2031 (Publication Draft 2016)**

- Policy SLP2 - Metropolitan Green Belt
- Policy SLP4 - Urban Design
- Policy SLP26 - Natural Environment
- Policy SLP27 - Green Infrastructure

<sup>1</sup> National Planning Policy Framework (7 Requiring Good Design & 11 Conserving and Enhancing the Natural Environment)



## **Hertfordshire Landscape Character Assessment**

The site lies within the Upper Lea Valley (Area 33)

Strategy and guidelines for managing change: Improve and Conserve

- improve 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 to screen the raw built edges of 20<sup>th</sup> century development
- resist the targeting of redundant or derelict pasture for development
- encourage the creation of wetland landscape features such as reed beds, ponds, scrapes, alders and pollarded willows
- promote hedgerow restoration through locally appropriate measures including coppicing, laying and replanting/gapping-up

The northern end of the site lies within Blackmore End Plateau (Area 34)

## **St Albans District Green Infrastructure Plan March 2011**

The site lies within the **chalk valleys conservation zone**: conserving key GI assets as part of the movement, habitat and physical landscape network, also securing links to the river valley network and associated Wetland Habitat Zone. Links to landscape restoration and enhancement in the Colne Valley and delivering landscape character assessment objectives in this area (considered jointly with Watford and Hertsmere Boroughs).

The northern tip of the site lies within the **woodland enhancement zone**: linking woodland habitats and restoring landscapes/defining the network of valleys including regionally rare Wooded Chalk Valleys. This includes enhancement to the setting of historic GI assets such as Prae Wood and Symondshyde Wood—buffering and protecting such sites, through creating woodland linkages.

The public right of way that runs along the eastern site boundary is a recognised **local link**.

## **2. Landscape & Visual Effects<sup>2</sup>**

The following comments are given with reference to the submitted Landscape and Visual Impact Assessment (LVIA), 1<sup>st</sup> September 2017. Please note that the impact upon the purposes of the Green Belt is addressed in the Case Officers Report.

The LVIA methodology assumes that *'major and major-moderate effects can be considered to be significant, and that they therefore merit particular consideration in the planning process.'*<sup>3</sup> This threshold is not supported and, based on experience and industry good practice, should be moderate or above.

### **Landscape effects**

#### ***Landscape policy designations***

The LVIA identifies the relevant landscape designations that are Landscape Conservation Area, Mackersey End Conservation Area and listed buildings, and concludes that *'there are no significant effects on landscape related designations.'*<sup>4</sup> This conclusion is supported for the reasons as discussed below.

With regards to Landscape Conservation Areas the emerging policy SLP26 seeks to ensure that *'the condition and strength of character (including remaining areas of tranquillity) of the District's landscapes will be conserved, managed, and where appropriate enhanced.'* 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.

With regards to Mackersey End Conservation Area and listed buildings, the proposed woodland within the northern apex of the site is considered sufficient to provide an adequate landscape and visual buffer to protect the setting of these historic assets.

#### ***Landscape character areas***

The LVIA identifies the relevant landscape character areas that overlap the site and are Area 33 Upper Lea Valley and Area 34 Blackmore End Plateau.

Area 33 Upper Lea Valley overlaps the majority of the site. With regards to the impact upon landscape character in the vicinity of the site the LVIA determines that the proposed development has a major-moderate adverse effect 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.

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<sup>2</sup> Comments are given in line with current best practice guidance 'Guidelines for Landscape and Visual Impact Assessment Third edition, Landscape Institute and Institute of Environmental management and Assessment.' (GLVIA3)

<sup>3</sup> Paragraph 12.1.6

<sup>4</sup> Paragraph 12.7.3

Area 34 Blackmore End Plateau overlaps the northern end of the site. With regards to the impact upon landscape character in the vicinity of the site the LVIA determines that the proposed development has a moderate adverse effect 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***

The LIVA identifies the relevant key landscape features of the site that are landform, landuse, vegetation, and historic site boundaries.

With regards to landform the LVIA determines that the proposed development has a 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. (see further comments under landform).

With regards to landuse the LVIA determines that the proposed development has a major-moderate adverse effect 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.

With regards to vegetation the LVIA determines that the proposed development has a neutral effect 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.

With regards to historic site boundaries the LVIA determines that the proposed development has a minor adverse effect 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 baseline**

The visual baseline has not been carried out in accordance with industry good practice guidance. There is no zone of theoretical visibility (ZTV) to show the extent to which the site is potentially visible from the wider area. This baseline information is critical to demonstrate the worst case scenario and the identification of representative viewpoints.

## **Visual effects**

**The LVIA<sup>5</sup> concludes that *'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, 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.**

**There is concern for the extent of potential significant effects on moderate to long distance views from the surrounding area, in particular from the north facing valley side. A ZTV is required to show this (see comments under visual baseline).**

**Submitted viewpoints O and P represent views from the existing settlement on the north facing valley side, out towards the site and the open countryside beyond. From these locations the new school campus is generally well hidden to views due to its location within the lower lying south west corner of the site, and the screening effect of the intervening topography, buildings and vegetation. However there are clear views of the more elevated and open northern part of the site that will change from a consistent sloping landform with a simple grassland landcover, to an area characterised by a series of terraces accommodating sports pitches and goal posts, separated by a steep slope with a more diverse and textured landcover of sports turf, amenity grassland and meadow with small clusters of trees and mown pathways.**

**With regards to views from the north, the majority of visual receptors are located across the flat plateau where there are very limited views of the site due to its sloping topography on a south facing orientation.**

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<sup>5</sup> Paragraph 12.7.4

### **3. Landscape Layout & Design<sup>6</sup>**

#### **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. This should be shown in context with contours beyond the site boundary. A northeast-southwest site cross section should also show the existing and proposed landform profile and indicate the gradient of slopes.

#### **Outdoor teaching spaces**

The intention to create a wide range of space typologies to support various activities is fully encouraged and supported. It is important to ensure that the new school community has the opportunity to take ownership of their environment and influence the layout and function of spaces. With this in mind there is concern for the over prescription of uses in places, for example with regards to the table tennis area, should the tables become redundant it is important that they could be easily removed to accommodate an alternative use. Flexibility in the layout and use of spaces could be encouraged through the provision of temporary screens and moveable seating.

The proposed classrooms have no direct access to external spaces and there is an opportunity to make better connections between the indoors and outdoors and create secure and individual outdoor spaces that are an extension of the classroom.

It is proposed to locate planting along the school building elevations and '*prevent access to the windows.*'<sup>7</sup> There is concern for this approach that may restrict access to the building façade for maintenance operations such as window cleaning and gutter cleaning. A maintenance strip should be provided.

The outdoor classroom (next to the engineering zone) requires an element of shade that could be provided by trees or a canopy.

#### **Outdoor café and dining area**

There is concern for the location of the outdoor café and dining area, along the western site boundary, that is remote from the key public 'heart' of the campus and would benefit from being in a more public central location. There is also concern for the quality of the microclimate, due to the long and narrow nature of the space that is partially overshadowed by the main school building.

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<sup>6</sup> Comments are given in line with current good practice guidance 'Schools for the Future, designing school grounds' department for education and skills

<sup>7</sup> Paragraph 6.41

### **Access, circulation and legibility**

It is not clear how the service access from Common Lane will be achieved due to the changes in levels.

It is suggested that there is a key desire line from the visitor's car park to the 'heart' of the school. The current student entrance via the canopy feels secondary to the visitor entrance and would benefit from greater prominence and enhanced legibility. This could be achieved in the approach to the landscape layout and design, for example the approach to the paving language could clearly highlight these key routes.

### **Security and lighting**

The proposal not to provide any floodlighting for the sports pitches within this sensitive urban- rural edge location is fully supported. In particular the northern part of the site is highly sensitive due its elevated and open location, and any form of artificial lighting should be avoided in these areas.

The provision of cycle spaces is fully supported. In their current location they are not overlooked occupants of the building and would benefit from a location where they are overlooked to provide passive surveillance.

### **Pond and swales**

The submitted information refers to the provision of a small corner pond (adjacent to the allotments) to enhance biodiversity that could provide a teaching opportunity about surface water management and safety.<sup>8</sup>

This approach is supported in principle however the SuDS scheme (swale and attenuation ponds) is currently fenced off to public access and creates an impassable boundary along the western site boundary. There is a key opportunity to better integrate the SuDS system within the landscape scheme. Issues regarding safety and security can be addressed through a considered layout and design, to include controlled access via a dipping platform, and a terraced pond profile to create shallow margins.

With regards to providing a biodiversity enhancement, the pond design requires greater resolution to ensure that they do not become an empty depression devoid of any vegetation, but can realistically support a diverse range of habitats and species.

### **Sustainability**

There is an opportunity to build a range of environmental solutions into the landscape scheme. For example rainwater could be collected to help irrigate the food growing and crop science areas. The areas of planting to the building elevations could be designed as 'rain gardens' and directly fed by roof water.

Green roofs would be ideal and help to assimilate the buildings within this sensitive urban-rural edge location, and the surrounding sloping topography.

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<sup>8</sup> Planning, Design and Access Statement, paragraph 6.55

### **Planting strategy**

The details set out in the submitted planting strategy<sup>9</sup> 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.

### **Hard surfacing**

The intention to use surface treatments that are sympathetic to the sensitive urban-rural location of the site is commended.

The proposed use of resin bound gravel is hard wearing and fully supported, however there is strong concern for the proposal to use flint gravel in plastic geogrid and aggregate rolled surfacing that are high maintenance. With regards to gravel in geogrid, the gravel is likely to require occasional raking, to maintain gravel levels and distribution and ensure that the geogrid does not become exposed and damaged. With regards to aggregate rolled surfacing, whilst the majority of aggregate will become embedded in the surface, there will be a quantity of loose aggregate that will wear and travel and eventually the surface will need rerolling.

### **Site boundaries**

There is concern for the creation of an impassable boundary along the western site boundary and the effect that this may have on links with the retained strip of land for future development between the school and Common Lane.

## **4. Arboricultural Strategy**

The conclusions and recommendations of the submitted tree survey, Arboricultural Impact Assessment and Arboricultural Method Statement are supported and should be complied with in full.

Overall it is proposed to remove five trees and two sections of hedgerow to create access from Common Lane and Lower Luton Road. Whilst it is preferable to avoid the loss of existing trees and hedgerows, on this occasion their loss will be adequately compensated for with new hedgerow and tree planting along the site boundaries' and within the development itself.

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<sup>9</sup> Drawing number FS0448-TLP-ZZ-XX-SP-L-0410 Rev 2, Sheets 1-3

## **Summary & Conclusion**

### **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

### **Landscape layout and design**

Overall the intention to create a comprehensive range of spaces and planting typologies is fully supported. It is encouraged to ensure that use of space is not too over prescribed and allows flexibility as well as being easily manageable and secure.

There is an opportunity to enhance the sense of arrival and legibility through the landscape layout and design; this could include a paving strategy to highlight key desire lines and routes.

The opportunity to provide a wider range of integrated sustainability solutions should be explored.





<b>Landscape Report</b>		<b>2nd January 2018</b>
<b>From:</b> HCC Landscape Officer, Natural Historic and Built Environment Advisory Team		<b>To:</b> HCC Planning Officer, Spatial Planning
<b>Application No.</b>	5/2733-17 (Additional Information)	
<b>Location:</b>	Land to the north of Lower Luton Road, Harpenden, Hertfordshire	
<b>Proposal:</b>	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	

Landscape comments have previously been submitted in a report dated 10<sup>th</sup> November 2017.

The submitted additional information does not address the landscape issues raised within the previous report, they therefore remain outstanding.



Darryl Keen  
Director: Community Protection  
and Chief Fire Officer



Hertfordshire County Council  
County Hall  
Pegs Lane  
Hertford  
Hertfordshire  
SG13 8DN

HERTFORDSHIRE FIRE & RESCUE SERVICE  
Fire Protection  
Postal Point MU103  
Mundells  
Welwyn Garden City AL7 1FT

Telephone: 01707 292310  
Fax : 01707 292588  
E mail : [administration.cfs@hertfordshire.gov.uk](mailto:administration.cfs@hertfordshire.gov.uk)  
Your ref :  
My ref : 022357  
Date : 26/10/2017

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990  
TOWN AND COUNTRY PLANNING (APPLICATION) REGULATIONS 1988**

**FE School Building Land to the North of, Lower Luton Road, Harpenden,  
Hertfordshire, AL5 5AL**

Thank you for your letter regarding the above Planning Application.

We have examined the drawing and note that the provision for Access does not appear to be adequate.

**ACCESS AND FACILITIES**

- 1. Access for fire fighting vehicles should be in accordance with The Building Regulations 2000 Approved Document B (ADB), section B5, sub-section 16.**
- 2. Access routes for Hertfordshire Fire and Rescue Service vehicles should achieve a minimum carrying capacity of 18 tonnes.**
- 3. Turning facilities should be provided in any dead-end route that is more than 20m long. This can be achieved by a hammer head or a turning circle designed on the basis of Table 20 in section B5.**

**WATER SUPPLIES**

- 4. Water supplies should be provided in accordance with BS 9999.**



5. This authority would consider the following hydrant provision adequate:
- Not more than 60m from an entry to any building on the site.
  - Not more than 120m apart for residential developments or 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 so that they remain usable during a fire.
  - Hydrants should be provided in accordance with BS 750 and be capable of providing an appropriate flow in accordance with National Guidance documents.
  - 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 supply should be provided in accordance with ADB Vol 2, Section B5, Sub section 15.8.
6. In addition, 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.

The comments made by this Fire Authority do not prejudice any further requirements that may be necessary to comply with the Building Regulations.

If you require any further clarification regarding the contents of this letter, please contact the inspector named below.

Yours faithfully,

*J. Attenborough*

**Jim Attenborough**  
**Fire Safety Inspector**

# HERTFORDSHIRE ECOLOGY

Providing ecological advice to Hertfordshire's Local Authorities and communities

Environmental Resource Planning  
Hertfordshire County Council, County Hall, Hertford, SG13 8DN  
[ecology@hertfordshire.gov.uk](mailto:ecology@hertfordshire.gov.uk)  
Tel: 01992 555220

Mr Chay Dampster  
Planning Officer  
Spatial Planning and Economy Unit  
Environment and Commercial Services  
Hertfordshire County Council  
County Hall Pegs Lane  
Hertford SG13 8DN

Your Ref: 5/2733-17  
Ask for: M J Hicks  
Tel: 01992 556158  
Date: 23/10/17

Dear Chay

**Application:** Proposed 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  
**Address:** Land to the north of Lower Luton Road, Harpenden, Hertfordshire  
**Application No:** 5/2733-17

Thank you for consulting Hertfordshire Ecology on the above application, for which I have the following comments:

1. We have little existing data for this application site and this is restricted to White-letter hairstreak butterfly (which would be associated with hedgerows) and badger, mainly by the main road. The site would appear to have limited ecological interest other than its boundary habitats. Aerial photos suggest it has been improved grassland for 20 years or more.
2. This view is reflected in the ecological assessment which identified four fields of improved grassland, tree and scrub lines along the eastern boundary (an important green lane), hedgerow along the northern boundary, and scrub and tree cover along the southern end of the western boundary. The surveys undertaken appear reasonably thorough and I have no reason to dispute the results.
3. Collectively the habitats within the proposed development site are assessed as being of Lower value at the Parish level. I consider this probably overestimates the site's value given it has long been is intensive farmland other

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CITY AND DISTRICT OF ST ALBANS, THREE RIVERS DISTRICT, WATFORD BOROUGH, WELWYN HATFIELD BOROUGH

than the hedgerows; the grassland has little intrinsic quality but it is reasonably extensive and consequently is likely to support some farmland ground nesting birds depending on management and disturbance as well species which use the hedgerows and grassland edge habitats. If the site has been left for some time this interest (and so relative value) will almost certainly have increased, but this is a temporary function of management.

4. Green Infrastructure is stated as having the potential to have a minor beneficial impact by improving habitat connectivity both within the site and the wider landscape. This is probably true although in some respects but not in others given the use of the site will change considerably influencing the wildlife that can use it. Retention of the open space between the site and the ribbon development to the east which almost links to Wheathampstead would be important to retain north-south links to and from the river, although this too is now likely to come under pressure for development.

5. A range of some protected species are likely to use the site from time to time, 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. Although no breeding bird surveys were undertaken the quality of the habitats and existing records do not suggest any such species of any importance are reasonably likely to be present. The boundary hedgerows are to be retained but their nature will be changed given the loss of the grassland and agricultural environment within the site. A walkover survey for badgers has been recommended two weeks prior to development which follows best practice, as badgers can move into an area if it is accessible and has become suitable.

6. The Impact on the existing habitat is considered to be minor adverse; however I believe this underestimates 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. However I consider the relative *significance* of this is low to negligible given the nature and importance of the site to begin with and it would certainly not represent an ecological constraint on the proposals.

7. Furthermore, the proposals to create large areas of 'meadow' (see below) are to be welcomed, although I am concerned that the management required to maintain these (cut and lift) will not be undertaken given the areas will not be subject to any traditional agricultural operation which could otherwise provide the required management. However, if it can be secured I consider this will be a locally significant habitat improvement to the site, perhaps higher than the neutral impact suggested in the ecology assessment.

8. The assessments for other species groups seem reasonable based upon the existing habitat resources present.

9. I support the following as outlined in the Design and Access Statement:

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- **Retain as much of the existing vegetation and trees as possible around the perimeters of the site and under appropriate management – such as cutting edges in alternate years,**
- **Enhance the habitat value of the site through planting and management**
- **Allotments for school use;**
- **Creation of landscape features shown on the Landscape masterplan – I note this also includes a small orchard**
- **The site will be developed to enhance its overall biodiversity as well as developing it as a nature conservation learning resource**
- **Student involvement in the management of the proposed habitat area and hazel coppice and features such as beetle loggeries, bird and bat boxes, hedgehog domes, brush-wood and small rubble mounds to provide hibernacula for species like bumble bees and reptiles in the peripheral areas of site.**
- **Extensive areas of meadow management are also proposed to the sloping areas around the playing fields, which would be cut once or twice a year to encourage insects. If this can be achieved it will enhance its habitat value.**
- **An open ditch for SUDS would be planted with wetland marginal and tree and shrub species and widened to form a shallow pond, in addition to the flood attenuation lagoon;**
- **Proposed planting will involve large maturing tree species where possible and appropriate, native tree and shrubs around the perimeter to reinforce local distinctiveness, plants selected to enhance biodiversity with berry-producing, seed bearing and nectar rich species.**

**10. The aims as outlined above should be confirmed within detailed planting plans and a formal landscape / ecology management plan which should be submitted to and approved by the planning authority as a condition of Approval. It is stated this will be 6 months prior to completion of works.**

**11. I note there are no proposals for floodlighting on the site. This is supported; it would be a sensitive issue given the location of the site and its topography. Internal lighting is described and would appear acceptable. Bollards and columns must have cut-offs to prevent unnecessary directional or skyward illumination.**

**12. Removal of woody vegetation to form site access points, or for any other reason, should take place outside the bird nesting season (i.e. take place between August and February inclusive). Should this not prove possible then vegetation should be inspected by an experienced ecologist within 48 hours of its programmed removal. Any active nests would need to be avoided until such time as young birds have fledged. This follows best practice and should be attached as an Informative to any approval.**

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13. I note that most further survey options are excluded from recommendations. I concur with this view given the nature of the site and development proposals.

14. **No compensation is proposed and this is reasonable** as no habitat of particular significance is going to be lost. The grassland will be enhanced by the proposals for meadows and other small scale habitat features within the site.

15. I also note the **retained land** will now be too small to be incorporated into the existing livestock enterprise. Depending on what subsequent management is employed the land has the potential to improve its ecological value locally although if other proposals for development ultimately emerge this is likely to have a further degrading impact on the biodiversity locally. This would need to be addressed in due course but is beyond the scope of the existing planning application.

16. Other than the issue I have raised above, I have no further issues with this proposal in respect to ecology.

I trust these comments are of assistance,

Regards,

Martin Hicks MCIEEM  
Ecology Advisor, Hertfordshire Ecology

**Sue Atkinson**

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**From:** Consultations (NE) <consultations@naturalengland.org.uk>  
**Sent:** 21 December 2017 07:56  
**To:** Spatial Planning  
**Subject:** PL/0866/17 - Consultation Response

Dear Sir or Madam

Our ref: 234370  
Application ref: PL/0866/17

Natural England has no comments to make on this application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland and veteran trees which you can use to assess any impacts on ancient woodland.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

Yours faithfully

Alice Watson  
Consultations Team  
Natural England  
Electra Way  
Crewe Business Park  
Crewe  
Cheshire  
CW1 6GJ  
Tel: 0300 060 3900

[consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

[www.gov.uk/natural-england](http://www.gov.uk/natural-england)

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

**In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.**

**Natural England offers two chargeable services - the Discretionary Advice Service, which provides pre-application and post-consent advice on planning/licensing proposals to developers and consultants, and the Pre-submission Screening Service for European Protected Species mitigation licence applications. These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.**

**For further information on the Discretionary Advice Service see [here](#)**

**For further information on the Pre-submission Screening Service see [here](#)**

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## **Development Services/Planning Applications/Web comments - Comment**

**Call date:** 16/10/2017 14:16:14

**User:** 2662252/2

**Contact number:**

**Document Number:** 7477093

### **Comment on Planning Application**

#### **About You**

Please provide details about yourself. Those fields marked with an asterisk must be completed for us to accept your comments. The telephone and email fields will be redacted on the website but still available to view at our offices. Do not put these details in the Comments box.

Full Name

**Matt Dodds**

Organisation/Company

**Herts and Middx Wildlife Trust**

Address

**Grebe House, St Michaels Street, St Albans**

Contact Number

Email

#### **Details**

If your comments are over 2000 characters, you will see an error message on submission. Please ignore this as there is no 2000 character limit and your comments have been received. Our system supplier have been asked to resolve this issue as soon as possible.

Comments

**Objection: DEFRA biodiversity assessment metric required to objectively demonstrate no net loss or net gain to biodiversity in accordance with NPPF. Once this assessment has been undertaken and a net positive score demonstrated the objection will be removed.**

**In principle there is no objection to the location and concept of this development. The habitats present are of low (but not no) value and there is space to provide substantial habitat creation to offset any measured impacts. However, in order to conform with the requirements of NPPF and BS 42020, the proposals need to demonstrate that the development will achieve measured no net loss and where possible net gains to biodiversity. The information submitted to date does not indicate that the required assessment of ecological value has been undertaken.**

**In order to objectively assess the ecological value of the site and to guide the amount of ecological compensation or mitigation required, the DEFRA metric e.g. Biodiversity Impact Calculator (Environment Bank 2015) should be employed to quantify the net ecological impact of the development.**

**Ecological information should clearly, definitively and measurably show: what is there, how it will be affected by development, how any negative impacts can be avoided, mitigated or compensated to ensure no net loss and where possible net gains to biodiversity, as required by NPPF. NPPF and BS 42020 require that ecological information demonstrate no net loss and where possible net gain in biodiversity, not a subjective assessment of the significance of impacts on significant habitats.**

**NPPF, paras 109 and 118 state:**

**109 "the planning system should contribute to and enhance the natural and local environment by:**

**• minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures."**

**118 "When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity..."**

**In order to objectively assess the ecological value of the land proposed for development a consistent and fair methodology should be employed. It is not sufficient to subjectively state that no net loss will be achieved, this must be measured or the phrase becomes meaningless and a matter of opinion. The implementation of an acceptable biodiversity accounting methodology should ensure appropriate mitigation or compensation resources are provided to achieve the conservation and enhancement of biodiversity, as required by NPPF.**

**Therefore It is advised that the Biodiversity Impact Calculator (BIC Environment Bank 2015) be employed to assess the pre and post development ecological value of this proposal. The calculator must show a neutral or positive ecological unit score in order for the development to demonstrate that it is consistent with NPPF. The requirement to clearly demonstrate net gain is consistent with BS 42020 Biodiversity - code of practice for planning and development.**

**The reason for the application of the calculator is that it provides an objective mechanism to measure ecological impacts of any given development. It is transparent and ensures a measurable, standard and fair approach for developers and the local authority to provide consistency in assessing and calculating ecological impacts and therefore the required mitigation and or compensation measures. Without the application of the calculator, assessments of precise ecological impacts on habitats are subjective. The calculator has been devised by DEFRA, Natural England, several Local Authority Planning departments and upheld in a number of planning decisions as a suitable mechanism to assess no net loss or net gain.**

**These proposals involve the destruction and modification of large areas of this greenfield site, with potential mitigation and compensation measures suggested but not definitively proposed. At present there is no indication that a BIC assessment has been undertaken to**

**objectively assess ecological impacts, sufficient for the LPA to make an informed decision as to whether no net loss or net gain has been achieved. BS 42020 is clear that it the responsibility of the applicant to supply sufficient information to make this judgement.**

**In order to maximise the habitat value of created and retained habitats either on or offsite, details of species, establishment regimes, management regimes and funds to secure on-going management of these habitats must be supplied. Habitats and species should be native, appropriate, and local provenance where possible and should be guided by the Herts Ecological Networks Mapping priorities for the area. All mitigation, compensation, enhancement, habitat creation measures must be definitively stated in the application and marked on maps. It is not acceptable to state what could or should be provided, only what 'will' be provided in order to ensure post development enforcement A- as stated in BS 42020.**

**Object to Proposal  
5/2017/2733**

**Do you wish to:  
Planning reference number (do not overtype)**



Environment Director & Chief Executive:  
John Wood



Chay Dempster  
Development Management  
Hertfordshire County Council

Natural, Historic & Built Environment  
Advisory Team  
Post Point CHN 108  
Hertfordshire County Council  
County Hall, Pegs Lane  
HERTFORD SG13 8DN

Contact Andy Instone  
Tel 01992 555241  
Email  
[historic.environment@hertfordshire.gov.uk](mailto:historic.environment@hertfordshire.gov.uk)

Date 21 December 2017

**RE: 5/17/2733 - Proposed application for the construction of new 6FE 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**

## **ARCHAEOLOGICAL IMPLICATIONS**

Dear Chay,

Thank you for re-consulting us on the above application.

In previous advice dated 13 and 30 November this office noted that archaeological investigations at the site have found heritage assets dating from the Mesolithic and Neolithic periods, the Bronze Age, Iron Age and early medieval (Anglo-Saxon) period. The evidence from the early Neolithic and Middle Iron Age is significant, but the most interesting archaeological remains are up to fourteen human burials which are thought to date to the seventh century. These were found in the northern part of the site in an area originally proposed for playing fields, but now to remain as a meadow. Archaeological evidence from the end of the Roman Empire until after the Norman conquest is extremely rare in Hertfordshire and these finds are regionally significant at least. The regional research framework for East Anglia says

"It is increasingly apparent in Hertfordshire that an early Anglo-Saxon presence does not exist and even middle Saxon material is very rare. Establishing a chronological framework and identifying the material culture of the period 450–600 for Hertfordshire is a priority." (Research and Archaeology Revisited: A Revised Framework for the east of England, East Anglian Archaeology Occasional Paper 24, 2011 page 50).



As a result this office advised you that the applicant should demonstrate that a strategy of preservation *in situ* could be an appropriate treatment of these heritage assets. This is in line with paragraphs 135 and 139 of the National Planning Policy Framework (NPPF). The programme should include provision to protect the archaeological remains from disturbance. We have advised you that the proposal that was submitted was inadequate. We later advised that a second proposal was also inadequate. Since then Historic England have sent you comments. These conclude that the archaeological remains are of such significance that they should be treated in line with paragraph 139 of the NPPF and that the information submitted by the applicant is not sufficient for us to be confident that the heritage assets will be appropriately conserved.

This office has engaged with both the applicant and you to gather the appropriate archaeological information to make an informed planning decision. As noted above, given the significance of the heritage assets that have been found we have tried to agree in principle a programme of archaeological works (including preservation *in situ*) with the applicant as soon as possible. This is to ensure that we can advise you that we believe the historic environment can be appropriately conserved should you be minded to grant consent. This will also minimise any delay for the applicant in the future should the scheme go ahead because the scope of the required archaeological programme of works will be clear. However we understand that the applicant has now said that they do not wish to continue these discussions until a planning decision has been made.

Nonetheless given the archaeological information that has been submitted so far, we believe it is likely that the archaeological implications of the development can be dealt with by the imposition of archaeological conditions if you are minded to grant consent. Therefore further to our previous advice to you, we recommend that a suitable programme of archaeological preservation of heritage assets and/or archaeological investigation and recording is agreed with the planning authority before any development or site preparation takes place.

This may include preservation *in situ* of the Saxon burials and Middle Iron Age features in the northern part of the site, together with appropriate archaeological investigation of the rest of the site to mitigate the effects of the development. 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.

This advice is dependent on the details of any drainage or landscaping schemes which may be submitted as part of this proposal. We recommend that the applicant should demonstrate that these will not have an adverse impact on any heritage assets before they are approved.

We believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. We further believe that these recommendations closely follow the policies included within Policy 12 (para. 139, 141, etc.) of the National Planning Policy Framework.

We therefore recommend that three appropriately worded conditions on any planning consent would be sufficient to provide for the level of archaeological investigation that this proposal warrants.

In this case we also recommend that provisions are made to conserve the historic environment both during the construction period and in the future should preservation of the heritage assets be achieved. This may be via planning conditions or formal agreement between the parties.

We suggest the following wording for the archaeological conditions:

***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 (A)***

***C The development shall not be occupied/used 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 (A) and the provision made for analysis and publication where appropriate.***

If planning consent is granted, we will be able to provide detailed advice concerning the requirements for the investigations, and to provide information on professionally accredited archaeological contractors who may be able to carry out the necessary work.

Please do not hesitate to contact me should you require any further information or clarification.

Yours sincerely,



**Andy Instone  
Senior Historic Environment Advisor  
Environmental Resource Planning**



Environment Director & Chief Executive:  
John Wood



Chay Dempster  
Development Management  
Hertfordshire County Council

Natural, Historic & Built Environment  
Advisory Team  
Post Point CHN 108  
Hertfordshire County Council  
County Hall, Pegs Lane  
HERTFORD SG13 8DN

Contact Andy Instone  
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Email  
[historic.environment@hertfordshire.gov.uk](mailto:historic.environment@hertfordshire.gov.uk)

Date 13 November 2017

**RE: 5/17/2733 - Proposed application for the construction of new 6FE 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**

#### **ARCHAEOLOGICAL IMPLICATIONS**

Dear Chay,

Thank you for consulting us on the above application.

In May 2015 this office recommended that should development of the site be proposed, an archaeological evaluation be carried out and the results submitted with any planning application, as per the National Planning Policy Framework (NPPF), paragraph 128. Therefore the applicant has submitted some archaeological information with this planning application. This includes an archaeological desk-based assessment, a geophysical survey, an archaeological trial trench report and an addendum describing the exhumation of a human burial.

Eighty trial trenches were dug in the summer of 2017 and heritage assets were found in 34 of them. The investigations uncovered multi period heritage assets with archaeological interest. These date from the Mesolithic and Neolithic periods, the Bronze Age, Iron Age and early medieval (Anglo-Saxon) period. Several of these discoveries are of high significance. These include an enclosure which dates to the Middle Iron Age, a period for which evidence is rare in Hertfordshire and pottery which dates from the early Neolithic period which is another rare and exciting find. In addition hundreds of pieces of flint from

the Mesolithic to the Bronze Age were found. This prehistoric evidence was mainly located in the southern part of the site.

The most interesting archaeological remains were up to fourteen human burials which are thought to date to the seventh century. These were found in the northern part of the site in an area proposed for playing fields. Archaeological evidence from the end of the Roman Empire until after the Norman conquest is extremely rare in Hertfordshire and these finds are regionally significant at least. It is possible that further burials remain to be discovered. This will be discussed further below because 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. The date of the burial was confirmed as the latter half of the seventh century. The report notes that associated finds include an Iron buckle and knife and remnants of some iron sheeting. The buckle is dated to the sixth or seventh century which is similar to the date of the skeleton. Although this study has given us some useful information about the date of the burials and their significance it has not included information about the sex or age of the individual or pathology, for example evidence of trauma, disease, wear and tear, or cause of death.

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. Therefore 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 it is inadequate. This is because it does not demonstrate that the method proposed for covering the cemetery will protect the archaeological remains. Further archaeological investigation is required to confirm the area which needs to be preserved. We can provide more detailed comments about this separately.

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.

The archaeological investigations to discharge these planning conditions are likely to include further archaeological evaluation in the first instance. The purpose is to confirm the extent of the cemetery and therefore the area to be preserved and also to inform the programme of mitigation for the rest of site. This may include preservation *in situ*, archaeological excavation, watching brief and such other provisions as may be necessary to conserve any heritage assets which are identified. It is also likely that we will recommend analysis and publication of the results of the archaeological investigations where appropriate (NPPF paragraph 141).

We believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. We further believe that these recommendations closely follow the policies included within Policy 12 (para. 141, etc.) of the National Planning Policy Framework. In this case three appropriately worded conditions on any planning consent would be sufficient to provide

for the level of investigation that this proposal warrants. We suggest the following wording:

***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***
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- 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.***

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***C The development shall not be occupied/used 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 (A) and the provision made for analysis and publication where appropriate.***

If planning consent is granted, we will be able to provide detailed advice concerning the requirements for the investigations, and to provide information on professionally accredited archaeological contractors who may be able to carry out the necessary work.

Please do not hesitate to contact me should you require any further information or clarification.

Yours sincerely,



**Andy Instone  
Senior Historic Environment Advisor  
Environmental Resource Planning**





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Mr Chay Dempster  
Hertfordshire County Council  
Spatial Planning and Economy Unit, CHN216  
County Hall  
Hertford  
Hertfordshire  
SG13 8DN

Direct Dial: 01223 582720

Our ref: P00677118

19 December 2017

Dear Mr Dempster

**T&CP (Development Management Procedure) (England) Order 2015  
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**LAND TO THE NORTH OF LOWER LUTON ROAD, HARPENDEN,  
HERTFORDSHIRE  
Application No. PL086617 5/2733-17**

Thank you for your letter of 4 October 2017 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

**Summary**

This application is for the construction of a new school on land to the north of Lower Luton Lane, the development of which would affect the buried remains of a seventh century Anglo-Saxon inhumation cemetery. We have previously advised that your council should take the advice of local advisors and national policy in respect of impacts on the historic built environment. However, we offer further advice, at your request, on the impact of the proposed development on buried archaeological remains - their significance, the impacts which the development would have on their conservation, and the appropriateness of the mitigation strategy which has been proposed in order to offset the harm which would be caused to their significance.

**Historic England Advice**

Archaeological trial trenching of the proposed development site (on the basis of a 4% sample) revealed a range of multi-period archaeological features. The most important of these is an early Anglo-Saxon inhumation cemetery of seventh century date.

Anglo-Saxon cemeteries have very rarely been located in Hertfordshire. It is postulated that the cemetery might contain somewhere in the order of 40 burials. On the basis of the single burial which has been excavated and dated, preservation



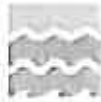
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appears to be good, with some 75% of the skeletal elements preserved. This suggests that the site contains the potential to investigate the age, sex, health, diet and, potentially, mobility of the population; providing an insight into the lives of an Anglo-Saxon community which is almost absent in the archaeological record of the county. This is explicitly recognised in the current East Anglian Archaeological Research Framework (p.50) which states that

*'it is increasingly apparent in Hertfordshire that an early Anglo-Saxon presence does not exist and even middle Saxon material is very rare. Establishing a chronological framework and identifying the material culture of the period 450-600 for Hertfordshire is a priority'*

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 (Archaeological Impact Assessment (AIA), Sections 5.21, 5.7). The strategy includes the restriction of vehicle access in the preservation Area so that only authorised vehicles can enter (Section 5.13).

The conservation of heritage assets is given great weight in the National Planning Policy Framework. Given the rarity of Anglo-Saxon cemeteries in Hertfordshire, set out above, Historic England believes that the remains have the potential to be of national importance and should, for planning purposes, be treated as though it were a scheduled monument, in line with para 139. That being the case, paras 132-4 apply: that the more important the asset, the greater the weight which should be given to its conservation, and that since such assets are irreplaceable, 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.

The DCMS note on scheduled monuments and nationally important archaeological sites (p10) states that their importance may be defined in a number of ways, but in particular, by their archaeological interest: that of carrying out expert investigations at some point into the evidence places hold, or potentially may hold, of past human activity. (<https://www.gov.uk/government/publications/scheduled-monuments-policy-statement>). The issue is therefore one of ensuring that the mitigation strategy adopted results in no loss of significance which could be recovered through archaeological investigation.

A brief summary method has been provided for the raising of the topsoil (Sections 5.22 to 5.5.29) and, in general, the approach presented could potentially protect the



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archaeological remains. However, additional information would be required before determining whether the remains would be adequately conserved, in both the short and long term, by this approach. Historic England has produced advice on the preservation of archaeological remains (<https://historicengland.org.uk/images-books/publications/preserving-archaeological-remains/>) and we advise that the following matters should be addressed before the proposed mitigation strategy is approved.

- The evaluation report indicates that the graves were found buried at depths that ranged from 0.14m to 0.41m. The range in depth of the archaeology needs to be taken into account so that it is clear that the proposed strategy will be suitable for the more shallow remains as well as those that are more deeply buried. For example, if a maximum of 100mm is stripped from some areas, as stated in Section 5.23, there may only be a minimum of 40mm between the stripped surface and the archaeology which would not be sufficient to ensure its conservation.
- Information also 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 vehicles should be preferred over larger vehicles 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 should be 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. In these circumstances, Hertfordshire County Council may wish to consider requesting Historic England Enhanced Advisory Service (<https://historicengland.org.uk/services-skills/our-planning-services/enhanced-advisory-services/fast-track-listing/>) to assess whether the site should be recommended to the DCMS 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.

### Recommendation

The proposed development has the potential to conserve nationally important



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undesigned remains through the implementation of a programme of mitigation to preserve the cemetery *in situ* within the school grounds. However, Historic England considers that further work needs to be done in order for your council to have confidence that the mitigation strategy would sustain the preservation of the buried archaeological remains without any erosion of their significance, in line with the aims and aspirations of the Framework. If this does not prove possible, an alternative strategy of prior excavation may need to be considered.

Yours sincerely

**Deborah Priddy**

Inspector of Ancient Monuments

E-mail: [debbie.priddy@HistoricEngland.org.uk](mailto:debbie.priddy@HistoricEngland.org.uk)



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**Sue Atkinson**

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**From:** Roy Warren <Roy.Warren@sportengland.org>  
**Sent:** 23 October 2017 09:51  
**To:** Spatial Planning  
**Cc:** Ruth Gray  
**Subject:** Planning Application Ref: PL\0866\17 - Land to the north of Lower Luton Road, Harpenden, Hertfordshire (SE Ref: E/HEC/2017/46908/N)  
**Attachments:** FA AGP Guide 2013.pdf

For the attention of Chay Dempster

Dear Mr. Dempster

**Planning Application Ref: PL\0866\17 - Land to the north of Lower Luton Road, Harpenden, Hertfordshire (SE Ref: E/HEC/2017/46908/N)**

Thank you for consulting Sport England on the above application.

**Summary:** The principle of the planning application is supported as a non-statutory consultee. The following issues require consideration and, if appropriate, addressing before a planning application is determined:

- Design and Layout of the Sports Hall – advisory comments are made and an informative regarding design is requested;
- The football pitch dimensions should be reviewed against the Football Association's guidance

The following matters are requested to be addressed through planning conditions being imposed on any planning permission:

- Sports Pitch Feasibility Study and Specification
- Artificial Cricket Wicket Specification;
- MUGA Design Specifications;
- Community Use Agreement.

### **Sport England – Non Statutory Role and Policy**

The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications.

<https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/open-space-sports-and-recreation-facilities>

This application falls within the scope of the above guidance as it relates to the creation of a major sports facility and the creation of a site for one or more playing pitches.

Sport England assesses this type of application in line with its planning objectives and with the National Planning Policy Framework (NPPF). Sport England's planning objectives are to PROTECT existing facilities, ENHANCE the quality, accessibility and management of existing facilities, and to PROVIDE new facilities to meet demand. Further information on Sport England's planning objectives can be found here: <http://www.sportengland.org/facilities-planning/planning-for-sport/aims-and-objectives/>

### **The Proposal and Assessment against Sport England's Objectives and the NPPF**

The proposal is for a new 6 FE secondary school, to be known as the Katherine Warrington School, which would be constructed on an area of agricultural land to the east of Harpenden. The new school would include a sports hall and activity studio supported by changing facilities that would be provided in a

separate sports hall block from the main school building. In terms of external sports facilities, there would be natural turf playing fields split across two areas of the site that would provide for a range of winter and summer pitches and a multi-use games area (MUGA) suitable for tennis and netball. It is understood that the sports facilities would be available for community use outside of school hours.

### Principle of the Development

There is no up-to-date sports facility strategy available for St Albans district that would inform community indoor and outdoor sports facility needs in the Harpenden area. However, the consultations with sports governing bodies that I have undertaken indicate that this is an area of high participation levels in a range of sports and that the existing supply of facilities does not meet current needs. For example, the Lawn Tennis Association have advised that community use of the tennis courts would be great for helping to meet club and casual community use needs in the area.

As it is proposed to make the sports facilities available for community use, Sport England would be **supportive** of the principle of the sports facility proposals in the proposed school development as they would offer potential to accord with the above objectives relating to providing new facilities to meet demand. However, the following specific issues and comments outlined below about particular aspects of the scheme require consideration as part of the determination of the application to help ensure that the sports facilities are fit for purpose for meeting school and community needs.

### Sports Hall Block

The provision of a sports hall that would be available for community use outside of school hours would be welcomed in principle as it would offer potential for meeting any unmet indoor sports facility needs. However, community access would need to be secured through a community use agreement to help ensure that the facility meets community needs over a long term period in practice. Attention will also need to be given to the design and layout of the facility. To this end, Sport England has developed detailed guidance on expectations for good facility design. Further information on design is detailed on our website at <http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>. Advisory comments based on the submitted floor plans are appended to this response which I would be grateful if the applicant could be **requested** to consider before the internal design is finalised in order to ensure that the design and layout is broadly in accordance with our design guidance.

In order to help ensure that the detailed elements (such as internal flooring and lighting specifications) of the design of the sports hall are fit for purpose, it is **requested** that an informative be added to a decision notice if the application is approved advising that the sports hall should be designed in accordance with Sport England's relevant design guidance notes.

*Informative: The applicant is advised that the design and layout of the sports hall should comply with the relevant Industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to the "Sports Hall Design & Layouts" design guidance note <http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/sports-halls/>.*

### Playing Fields

The Landscape Masterplan shows that a range of winter and summer sports pitches could be marked out in practice on the natural turf playing field which is welcomed. The provision of an artificial grass cricket wicket is particularly welcomed as this will help facilitate school and community cricket use on the site and artificial wickets are preferable to natural turf wickets on school sites due to the relative maintenance costs associated with them. While not ideal, it is understood that the playing field has to be separated into two areas to address the constraints imposed by the gradients of the site. I have the following advisory comments:

- The design and construction of the playing pitches will need to be informed by a sports pitch feasibility study to ensure that it is fit for purpose in practice;
- While not part of the planning application, it has been indicated that the playing fields have been designed to accommodate potential all weather pitch in the future. This is considered to be prudent

and is welcomed in principle. At this stage, the site layout should ensure that sufficient space is allowed to accommodate a full size artificial grass pitch. While the plans indicate that a 102 x 66 m football pitch is currently proposed for the area to the north of the proposed MUGA, to future proof it an overall area of 112 x 76m should be preserved for future artificial grass pitch use as this allows for the run-off areas, goal storage recesses and spectator areas required on a full size 3G artificial grass pitch suitable for football as set out in the attached design guidance. If an artificial pitch suitable for hockey was proposed this would be smaller (101.4 x 63 m overall area) than the area required for a 3G pitch.

- The artificial cricket wicket should meet the ECB's Guidance for the Provision and Installation of Non Turf Cricket Pitches and Net Cage Facilities and installation must be by a supplier of an ECB approved NTP system to ensure that it is safe and meets performance requirements. See the ECB's website <https://www.ecb.co.uk/be-involved/club-support/club-facility-management/surface-types> for design guidance and approved systems;
- The football pitches should have dimensions which meet the FA's recommended dimensions to ensure that the pitches are suitable for school and community competitive use. The Football Foundation (on behalf of the FA) have advised that the pitches shown on the Landscape Masterplan do not meet the guidance and should be amended where applicable to meet the following dimensions:
  - Youth U11 and U12 (9v9) 73 x 48m (79 x 52m including safety run-off area)
  - Youth U13 and U14 (11v11) 82 x 50m (88 x 56m including safety run-off area)
  - Youth U15 and U16 (11v11) 91 x 55m (97 x 61m including safety run-off area)
  - Youth U17 and U18 (11v11) 100 x 64m (106 x 70m including safety run-off area)
  - Over 18 and Adult (11v11) 100 x 64, (106 x 70m including safety run-off area)

#### ***Sports Pitch Feasibility Study & Specification***

As the grass playing fields are being designed to accommodate both school and potential community use it is considered essential that the school's playing field is constructed to a standard that will allow intensive use. Unless specialist consideration is given to the ground conditions and the proposals for the construction and maintenance of the new playing field, there are likely to be constraints on the ability of the playing field to meet the needs of the school and the community in terms of the carrying capacity of the playing fields and surface quality. Sport England's has had regular experience of playing fields on new school sites being unusable for the majority of the academic year due to inadequate consideration being given at the planning and design stages. As retrospectively addressing such scenarios is usually very costly and disruptive to schools, it is considered essential that appropriate provision is made for addressing playing field construction issues through any planning permission. The applicants proposal to undertake an agronomic assessment in paragraph 6.33 of the Design and Access Statement is therefore welcomed in principle. Sport England would therefore expect a feasibility study to be prepared to assess the 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. A sports pitch specification would also need to be prepared (based on the feasibility study recommendations) to ensure that an appropriate quality playing field is provided in practice. Sport England's guidance note "Natural Turf for Sport" (2011) provides guidance on what should be included in a site assessment and how new playing pitch sites can be planned, designed, managed and maintained to maximise their quality. This document and the other design guidance notes referred to in this response can be downloaded from our website at <http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/natural-turf-for-sport/>. The feasibility study and sports pitch specification should be prepared by an agronomist/sports turf consultant. Sport England can provide details of agronomists/sports turf consultants as well as example studies upon request.

I would therefore request that a planning condition be imposed on any planning permission requiring the submission and approval of an assessment of the ground conditions of the area proposed for playing field use which would lead to a related detailed sports pitch specification being prepared for addressing ground condition constraints (such as gradients, drainage, surface quality and maintenance issues) that have been identified in the assessment which may restrict the playing capacity and performance quality of the playing field. This should be approved before any works commence on the playing field element of the development. It is requested that the following condition is used for addressing this matter (based on

model condition 10a of our conditions schedule <https://www.sportengland.org/facilities-planning/planning-for-sport/planning-applications/>) :

- (a) *No development of the playing field area shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:*
  - (i) *A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could affect playing field quality; and*
  - (ii) *Based on the results of the assessment to be carried out pursuant to (i) above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.*
- (b) *The approved scheme shall be carried out in full and in accordance with a timeframe agreed with the Local Planning Authority. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.*

*Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Development Plan Policy \*\*.*

*Informative: The applicant is advised that the scheme should comply with the relevant industry Technical Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to 'Natural Turf for Sport', (Sport England, 2011)].*

#### **Artificial Cricket Wicket**

**A planning condition and associated informative is requested** requiring the specification of the proposed artificial cricket wicket to be submitted and approved. This is justified to ensure that the facility is fit for purpose and of a suitable quality to meet safety and performance requirements. An implementation programme is also requested to provide clarity and certainty about when the wicket will be constructed in practice. The ECB have advised that compliance with these standards would be a pre-condition of their support in order to ensure that the facilities are suitable for community cricket use.

It is requested that the following condition and Informative be imposed on any planning permission to address this matter (which is based condition 9 of our model conditions schedule):

*"Prior to installation of the artificial cricket wicket, details of the design and layout of the artificial grass cricket wicket together with an implementation programme shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The artificial grass cricket wicket shall not be constructed other than in accordance with the approved details.*

*Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy \*\*.*

*Informative: The applicant is advised that the design and layout of the artificial grass cricket wicket should comply with the relevant industry Technical Design Guidance, including the England & Wales Cricket Board's (ECB) TS6 document on Performance Standards for Non-Turf Cricket Pitches Intended for Outdoor Use <http://www.ecb.co.uk/development/facilities-funding/facilities-guidance-and-project-development/non-turf>. The applicant is also advised to ensure that an ECB approved non-turf system is installed.*

#### **Multi-Use Games Area (MUGA)**

The proposal to provide a MUGA that would be suitable for 4 netball and tennis courts is welcomed. Sport England would advocate that the MUGA is designed for a range of sports informed by the school's priorities and that the detailed specification is informed by the priority sport as there are some differences in

the detailed specification of the surface for instance if netball has greater priority than tennis or vice versa. It is noted that sports lighting for the MUGA is not proposed in the application which will restrict the extra-curricular and community use potential of the MUGA. To future proof the potential to install lighting at a later date (subject to planning permission), it is recommended that the MUGA is constructed with the electrical services (i.e. service ducting) provided so that the school can install lighting at later efficiently without the costs of retrospectively providing electrical services to the facility.

At this stage, there is no information available about the detailed specifications for the design and layout of the MUGA to determine their suitability e.g. surfacing, line marking, fencing. This should be provided at pre-commencement stage to allow an informed assessment to be made of whether the detailed design will be fit for purpose in practice. Without such information being provided, there is a risk that the design will not be suitable in practice for meeting the needs of proposed sports that will be played or opportunities may be missed which may not be viable to retrospectively address. When developing the specifications for the detailed design of the games courts, attention should be given to the relevant Sport England and national governing body design guidance referred to in the informative below and discussions should take place with the relevant sports governing bodies. **It is requested that the following condition and informative** be imposed on any planning permission to address this matter (which is based on condition 9 of our model conditions schedule):

***"No development of the multi-use games area hereby approved shall commence until details of the multi-use games area specifications including the surfacing, fencing and line markings have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The multi-use games area shall not be constructed other than in accordance with the approved details.***

***Reason: To ensure the development is fit for purpose and sustainable and to accord with Development Plan Policy \*\*.***

***Informative: The applicant is advised that the design and layout of the multi-use games area should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to: Sport England's 'Artificial Surfaces for Outdoor Sports' guidance note (2013), England Netball's 'Performance Requirements for Indoor Surfaces' guidance note <https://englandnetball.co.uk/make-the-game/facilities-information/>, and the LTA's 'Porous Macadam Tennis Courts and Floodlighting Outdoor Tennis Courts' guidance notes <https://www.lta.org.uk/venue-management/facilities-advice/>***

## **Community Use**

The new school provides a rare opportunity to provide substantive new sports facilities that the community in the Harpenden area could use for meeting their needs. Regardless of the facilities provided and their design, community use should be maximised outside of school hours and access should be formalised and secured through a formal community use agreement being completed. A community use agreement sets out a school's policy and arrangements for community use of its sports facilities and covers matters such as hours of use, types of bookings accepted, restrictions on community use etc. The agreement is usually between a school (or academy trust) and the relevant local authority (e.g. St Albans City & District Council) but may involve additional bodies. The completion of such agreements is usually secured through planning conditions on planning permissions for school developments. Such a condition is justified to avoid a scenario where community access (outside of school hours) to the proposed facilities does not take place (or is significantly restricted) following the implementation of the proposed development and to ensure that the community use arrangements are safe and well managed. Without suitable community access being secured over a long term period in practice, the potential offered by this development in terms of meeting wider community needs may not be realised. A community use agreement also provides clarity and formalisation with respect to community access arrangements for all parties. It has been noted that the applicant has advised that the school would be willing to complete a community use agreement as a requirement of a planning permission. Community use agreement templates, examples of completed agreements and further advice can be provided upon request. For information, Sport England's guidance for schools on preparing for and delivering community use is available at



<http://www.sportengland.org/facilities-planning/use-our-school/> . The **following condition is requested** to be imposed to address this (which is based on model condition 16 of our conditions schedule):

***"No occupation of the sports hall shall commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the sports hall, activity studio, multi-use games area, playing field and other suitable facilities to be defined in the agreement and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement."***

***Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy \*\*.***

I would be happy to discuss the matters raised in this response with the local planning authority and/or the applicant during the planning application determination process.

The absence of an objection to this application in the context of the Town and Country Planning Act, does not in any way commit Sport England or any National Governing Body of Sport to support for any related funding application.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

Please contact me if you have any queries.

Yours sincerely,

**Roy Warren**  
Planning Manager

T: 020 7273 1831  
M: 07769 741 137  
F: 01509 233 192  
E: [Roy.Warren@sportengland.org](mailto:Roy.Warren@sportengland.org)



## APPENDIX – ADVISORY DESIGN COMMENTS

### *Sports Hall*

- The location of the sports hall is positive in relation to the external sports facilities and having a dedicated sports block has the advantage of the facility being able to be used by the community outside of school hours without the maintenance and security issues associated with having to open other areas of the school building.
- The provision of dedicated car parking is welcomed but attention will need to be given to the pedestrian access links between the main car park at the front of the site and the sports hall to ensure that there is safe and convenient access from the main car park as 18 spaces to serve the sports facilities is unlikely to be sufficient especially during peak periods of community use when the sports hall and external facilities are being used by the community at the same time.
- SE recommend a draft lobby at the point of entry to limit the heat loss at reception and to ensure this area is a positive environment.
- It is unclear whether provision is proposed for a reception desk with a drop level design to assist disabled users. The reception desk should not be too close to the point of entry because with potential automated doors these will continually be opening as people wait at the reception desk.
- There is currently no provision for spectator areas into the sports hall. As a school and community facility Sport England would expect to see some form of small social space where views into the hall can be accommodated. Without this, the appeal for school events and community use will be diminished. Also when used by the community, a small social space is a relatively easy way of driving additional income through vending.
- There is currently only one entry into the sports hall. SE recommend two points of entry so when the hall is split into 3 and 1 and 2 and 2 court layouts there is less disruption for users.
- Hall size – Sport England guidance recommends that a 4 court hall should be 34.5x20m – 690sqm in total with a clearance height of 7.5m. A 33x18m hall (594 sq.m) as proposed would not be able to fully meet potential community needs.
- Cricket – if the sports hall is being designed for indoor cricket, the ECB have advised that it must comply with ECB Indoor Sports Hall with Cricket Provision (TS3) guidance <https://www.ecb.co.uk/be-involved/club-support/club-facility-management/surface-types>, meeting the required specifications for flooring, lighting and nets layout.
- Storage – The drawings are indicative but SE recommend that a minimum of 12.5% of the floor space be provided as storage. This equates to a minimum of 74 sq.m for a hall of the proposed size which is above the 63 sq.m that is proposed which is likely to create capacity issues for the school.
- Storage - if the hall is split into different usage sections only the end court has access to the storage space without activity being disrupted. Storage distributed along the side of the hall is therefore recommended.
- SE recommends that the internal walls of a hall are all block work which are a consistent colour. This offers a more robust design solution and a better sporting experience.

### *Changing Accommodation*

- SE do not recommend that changing rooms serve both indoor and outdoor spaces as it often results in major mud contamination and additional cleaning requirements especially if a natural turf pitch is proposed.
- The flow of a change should ideally be entrance, toilets, entrance, change, showers. If a space is serving both indoor and outdoor needs, two entry / exit points are usually provided which compromises this flow.
- Two accessible changing rooms that double up for staff changing are positive. However, they should not be designed so that access is only via the staff office as this would require school or community disabled users to have to access the office to get to the changing room which is likely to be disruptive to staff and may deter users that require access to these rooms. This could be

addressed if the accessible changing rooms could be accessed from the adjoining circulation lobby as well as the staff room. Accessible lockers outside this space should be provided.

#### **Activity Studio**

- A 150 sq.m space is positive as this would allow a range of activities and class sizes to be accommodated. SE recommend 4.5-5sqm of floor space per item of equipment. Therefore, if a space is to accommodate a class of 30 pupils it needs to be a minimum of 135sqm.
- The provision of natural light in to the space is positive but glare and solar gain issues may require consideration. This space should have air conditioning.

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## **Chay Dempster**

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**From:** BCTAdmin@thameswater.co.uk  
**Sent:** 20 October 2017 09:14  
**To:** Spatial Planning  
**Subject:** 3rd Party Planning Application - PL/0866/17

Hertfordshire County Council  
County Hall  
Hertford,  
Herts,  
SG13 8DN

Our DTS Ref: 54794  
Your Ref: PL/0866/17

20 October 2017

Dear Sir/Madam

**Re: LAND TO THE NORTH OF, LOWER LUTON ROAD, HARPENDEN, HERTFORDSHIRE, AL5 5AF**

### **Waste Comments**

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

**Surface Water Drainage** - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

### **Water Comments**

With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

**Yours faithfully**  
**Development Planning Department**

Development Planning,  
Thames Water,  
Maple Lodge STW,  
Denham Way,  
Rickmansworth,  
WD3 9SQ  
Tel: 020 3577 9998  
Email: [devcon.team@thameswater.co.uk](mailto:devcon.team@thameswater.co.uk)

Agenda Pack 360 of 508

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**Sue Atkinson**

---

**From:** Nunn, Craig <craig.nunn@ukpowernetworks.co.uk>  
**Sent:** 09 October 2017 11:01  
**To:** Spatial Planning  
**Subject:** CN0032 - Common Lane Harpenden - Your Ref PL\0866\17  
**Attachments:** \$SCAN\$\_nunn01c\_07-10-2017\_08-05-13.pdf

Dear Mr Chay Dempster

I am writing to you on behalf of UK Power Networks.

Thank you for the attached letter, could you please make a comment on the application on my behalf.

Our records indicate the presence of an 11,000volt underground cable within the Lower Luton Rd side of the proposed development.

Further information can be secured from our Plan Provision team

The best way to make a request is to email [plans@ukpowernetworks.co.uk](mailto:plans@ukpowernetworks.co.uk) or call 08000565866 option1.

We can take a request by telephone if it is for a residential site.

FEES OFTEN APPLY.

We will need the following information:

Customer name, Company name, Contact details, Full site address, Nature of works, Site plan showing boundary of the site clearly marked, Delivery address for paper plans or email address for electronic plans.

Kind Regards Craig,

Craig Nunn  
Asset Management Surveyor  
01284 726329  
07875 114089  
[craig.nunn@ukpowernetworks.co.uk](mailto:craig.nunn@ukpowernetworks.co.uk)  
UK Power Networks Property & Consents (P&C)  
c/o Barton Road, Bury St Edmunds, IP32 7BG

Please note I am not currently at work on Tuesdays.  
AM Surveyor hubs 5, 6, 9 and 10.

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Registered Office: Newington House, 237 Southwark Bridge Road, London SE1**

**Sue Atkinson**

---

**From:** Consultations (NE) <consultations@naturalengland.org.uk>  
**Sent:** 10 October 2017 13:34  
**To:** Spatial Planning  
**Subject:** Re: PL/0866/17

Dear Mr Dempster

**Application ref:** PL/0866/17  
**Our ref:** 228099

Natural England has no comments to make on this application.

Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland and veteran trees which you can use to assess any impacts on ancient woodland.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones (available on Magic and as a downloadable dataset) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

Yours sincerely

Joanne Widgery  
Natural England  
Consultations Team  
Hornbeam House  
Crewe Business Park  
Electra Way,  
Crewe  
Cheshire, CW1 6GJ

Tel: 0300 060 3900  
Email: [www.gov.uk/natural-england](http://www.gov.uk/natural-england)

[www.naturalengland.org.uk](http://www.naturalengland.org.uk)

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.



**Natural England offers two chargeable services - the Discretionary Advice Service, which provides pre-application and post-consent advice on planning/licensing proposals to developers and consultants, and the Pre-submission Screening Service for European Protected Species mitigation licence applications. These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.**

**For further information on the Discretionary Advice Service see [here](#)**

**For further information on the Pre-submission Screening Service see [here](#)**

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Standing up for Hertfordshire's countryside

Our Ref:

Your Ref:

Chay Dempster  
Principal Planning Officer  
Development Management  
County Development Unit  
Hertfordshire County Council  
County Hall  
Hertford  
SG113 8DN

15<sup>th</sup> November 2017 (by email)

Dear Mr. Dempster,

Application No. PL\0866\17

Katherine Warrington School - Proposed Application for the construction of new 6FE school buildings, vehicular access/egress onto the Lower Luton Road, vehicular access 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.  
On land to the north of Lower Luton Road, Harpenden, Hertfordshire.

CPRE Hertfordshire has considerable concerns regarding this proposed development in the Green Belt.

The proposal constitutes inappropriate development contrary to the Green Belt Policies in Section 9 of the National Planning Policy Framework and the site, though in the ownership of Hertfordshire County Council, is within St Albans City and District and is therefore also contrary to Policy 1 of the current St. Albans Local Plan.

Consequently there is a requirement on the applicant to demonstrate 'very special circumstances' which are sufficient to outweigh the harm to the Green Belt through inappropriateness or other harm.

The only 'very special circumstance' put forward in the documentation accompanying the application is in paragraph 6.7 of the Green Belt Assessment and repeated in the Planning, Design and Access Statement, to the effect that "there is a 6.2FE need for a secondary school in Harpenden in 2019/20 which cannot be met in any other location." This is not entirely true. The site assessments carried out by Vincent Gorbing in 2014 identified three possible sites. In that analysis, published in 2015, Site A (land east of Luton Road), assessed as having 'slight adverse impact' was considered to be more appropriate than the proposed

site (Site F) which was assessed as having *'moderate adverse impact'* and the conclusion at para. 5.10 of the assessment was that a planning application for Site F *'might not successfully address Green Belt Policy'* (The emphasis is the report's, not ours.) Of the three potential sites which were considered might be suitable, Site F was ranked third. Site A (as stated in the updated 2017 Addendum Report accompanying this application) *'offered the best location for a secondary school'* (para 2.14). Part of the argument against Site A in the current application documentation is that it was included as a potential housing site in the draft St Albans Local Plan 2011-2031. That Plan was subsequently withdrawn and the argument must now be considered speculative and of no weight.

The only material change in the intervening period has been the purchase of the freehold of Site F by the County Council. In the viability assessment undertaken by Pick Everard, Sites A & F were ranked equally first (Section 6), though Site F would be cheaper to purchase. The assessment argues that the purchase of Site F results in a higher score of 'cost and viability'. This would have been true of any site which the Council chose to purchase and is not unique to this site. The purchase does not, in itself, make the site 'more appropriate' in planning terms.

At the present time, under the provisions of the St Albans Local Plan, Common Lane provides a clear and defensible Green Belt Boundary. That defensible boundary will disappear if this proposal goes ahead. This is exacerbated by the exclusion of the strip of land between the School site and Common Lane, a site which we understand has now been put forward to St Albans Council as a potential housing site. It is fatuous for the applicant to claim that the school would act as a buffer between Harpenden and the development at Lea Valley Estate when the existing field already fulfils that Green Belt function.

The impact on the character of the Green Belt would be substantial and irreversible. Apart from the intrusion of the buildings themselves, there would be extensive terracing of those parts of the site not built on to provide level playing fields in place of the currently sloping hillside. The sports pitches would presumably be floodlit though there are no details of the lighting provided in the application.

St. Albans Local Plan Policy 104 seeks to protect designated landscape conservation areas, within which Site F lies. Para. 5.13 of the Site Assessment is clear that Site F would result in conflicts with that Policy. Similarly, Policy 86 seeks to protect Heritage Assets. The site assessment concludes that development would have *'a large adverse effect on heritage assets'* (again the report's emphasis). In both instances this is also contrary to NPPF policies (paras. 11 and 128, 132 and 133 respectively).

On archaeological impact (covered by Local Plan Policies 110 and 111 and NPPF paras. 128, 132 and 133), the assessment concludes that there would be slight adverse impact (para 5.20). We note that this is contradicted by the response from the St Albans District Archaeologist on the Council's website.

The applicant acknowledges in para. 3.6 of the Planning, Design and Access Statement that the land is of Grade 3a agricultural quality. The National Planning Policy Framework defines best and most versatile agricultural land as "*Land in grades 1, 2 and 3a of the Agricultural Land Classification*" and NPPF para.112 states that development of this land should be avoided and due weight given to its economic value. Similarly, St Albans Local Plan Policy 102 says that such land should not be used for development. This point is not addressed in the Planning, Design & Access Statement or in any of the incarnations of the Site Assessments. Consequently the Council is required to take this into account when assessing the planning balance.

We will not comment on the educational needs assessment in any depth, but it does appear that the focus has been on meeting current need in Harpenden, with scant regard being paid to the potential impact of housing development proposed in both the Dacorum and St Albans emerging Local Plans. For example, those proposals included the provision of an 8FE school on the land to the south west of Harpenden. These, if realised, would shift the need and catchment areas away from the site of this application and raise the question of its suitability to sustainably meet future demand.

There also appears to be a similar focus on Harpenden in the various elements of the Transport and Traffic Assessments. A substantial section of the proposed student intake will come from the North and East of the site, particularly Wheathampstead. It is not acceptable to assume that all journeys from there will be made by bus. Access on foot or by bicycle will not be easy from these directions (even unsafe, as noted in the Transport analysis). This will inevitably be exacerbated by the increase in vehicular traffic on the B653 in peak periods, generated by the school itself and, in our view, the safety aspects and possible mitigation factors beyond the Lea Valley Estate have not been satisfactorily addressed in the proposal.

For the above reasons we urge the Council to reject this application.

Yours sincerely,



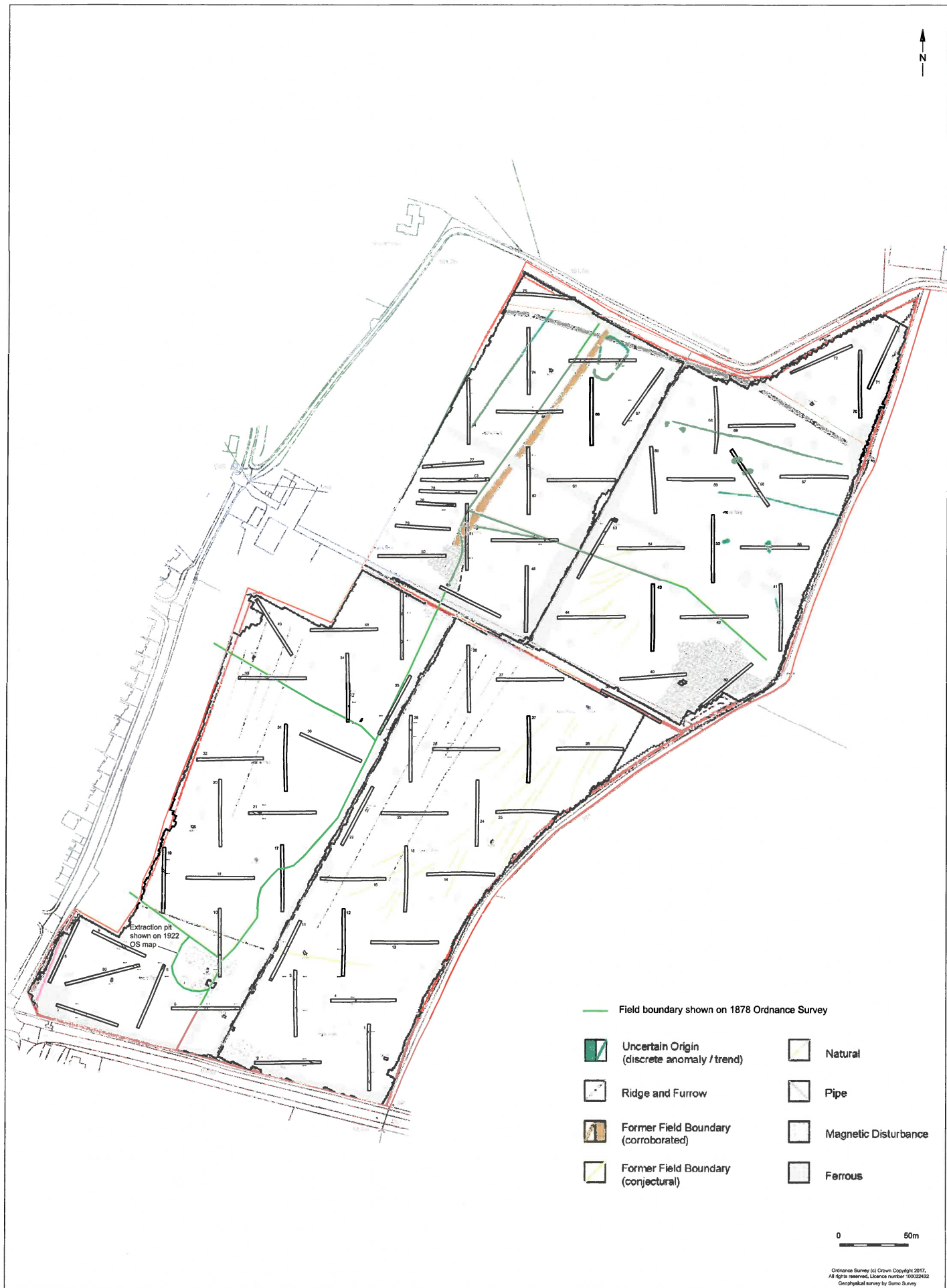
David Irving



# Appendix 8

Trench location and geophysical  
survey and former field boundaries







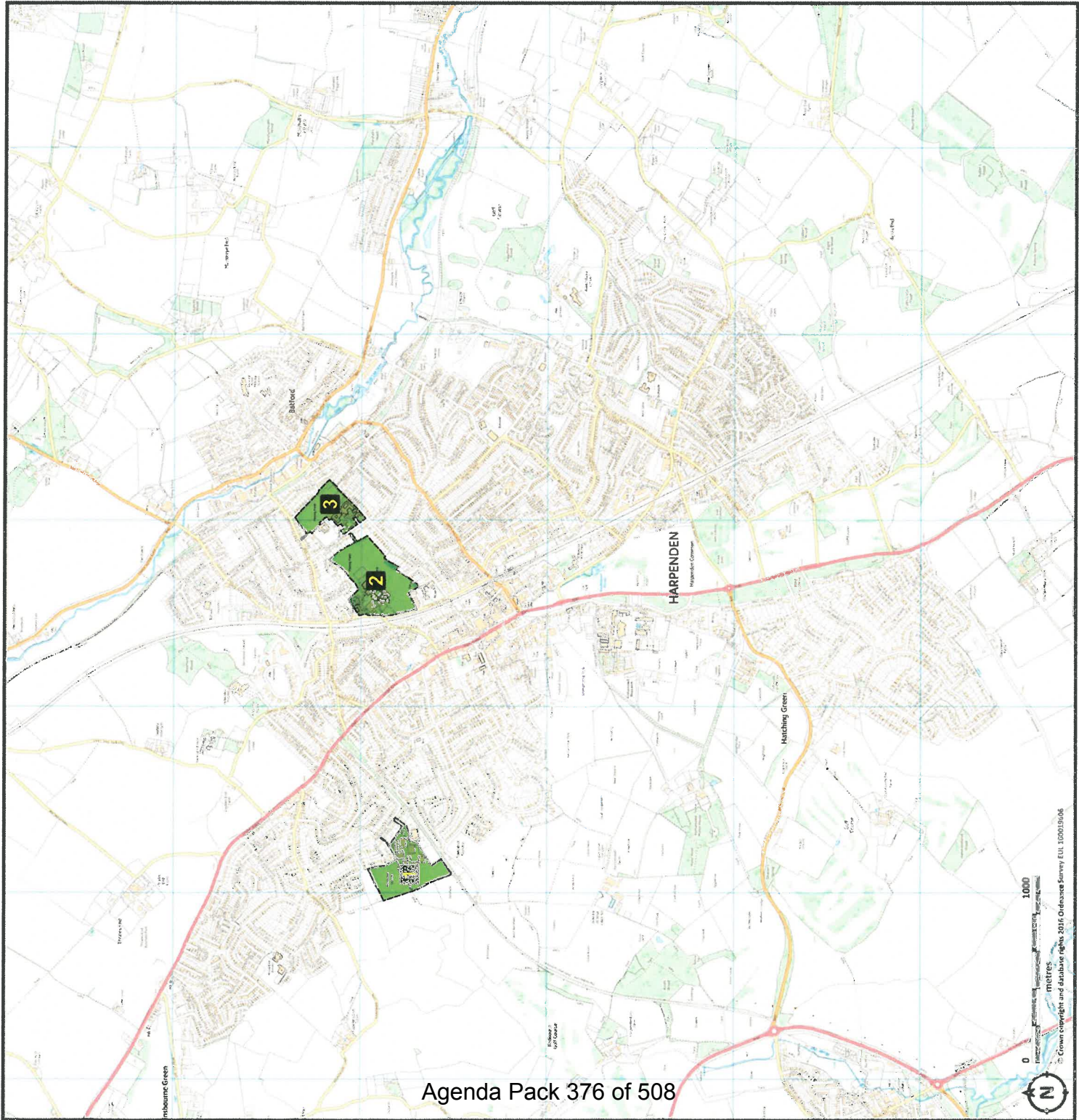


# Appendix 9

## Existing school sites



- EXISTING SECONDARY SCHOOLS**
1. ROUNDWOOD PARK SCHOOL, HARPENDEN
  2. ST GEORGE'S SCHOOL, HARPENDEN
  3. SIR JOHN LAWES SCHOOL, HARPENDEN



# **KATHERINE WARINGTON SCHOOL ALTERNATIVE SITE SEARCH**

Harpenden:  
Existing secondary schools

PROJECT NO	DRAWING NO	REV
5204	002	
DRAWN	DATE	SCALE
HNA	JUNE 2017	1:20000 @A3

T: +44 (0) 1438 316 331  
planners@vincent-gorbing.co.uk  
vincent-gorbing.co.uk  
Vincent and Gorbing Limited, Sterling Court  
Norton Road, Stevenage, Hertfordshire SG1 2JY  
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# Appendix 10

## Harpenden potential sites









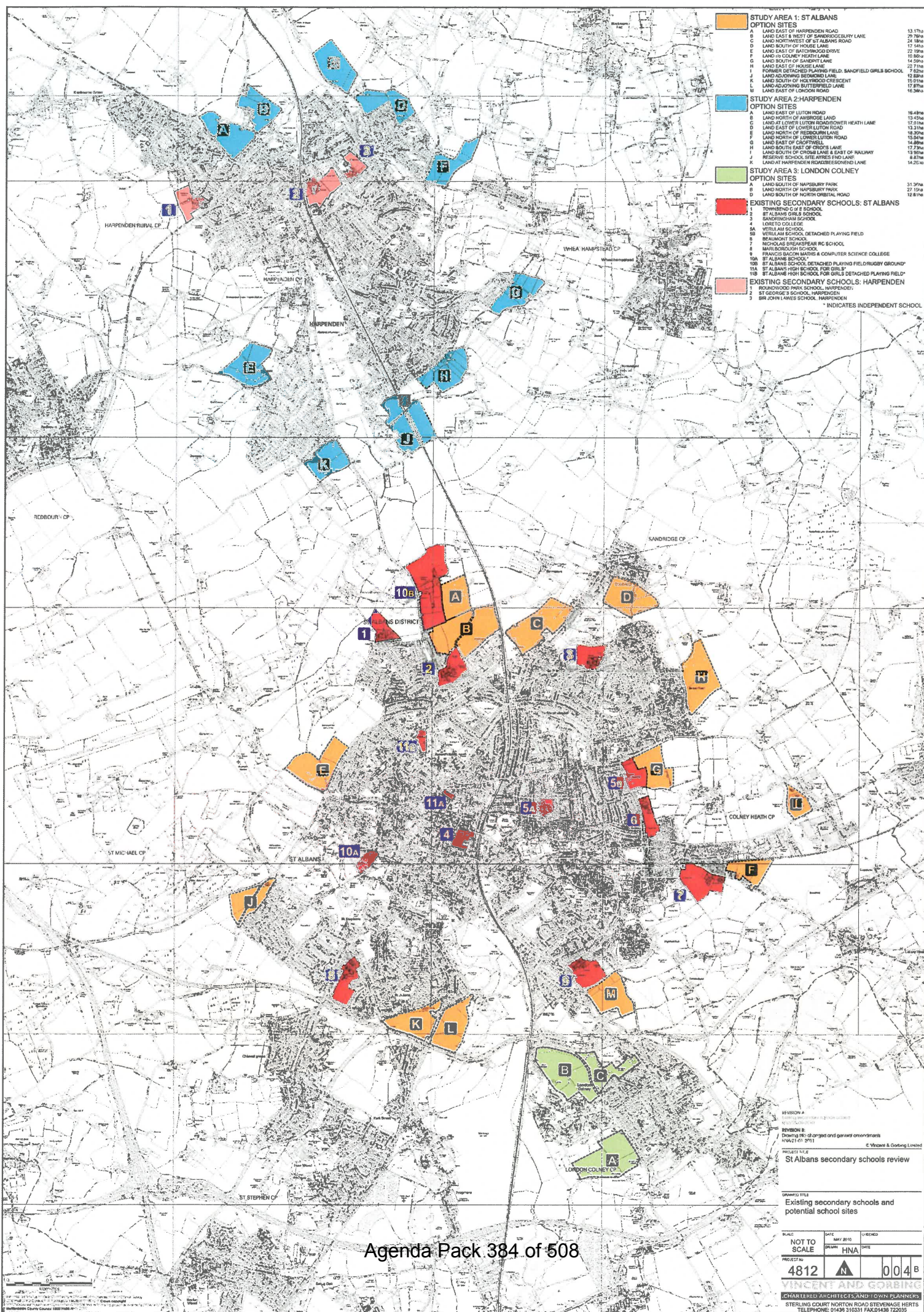


# Appendix 11

## Existing secondary schools and potential school sites











# Appendix 12

## Overall significance of landscape effects





Key

Site boundary

Representative viewpoint

Point at which ZVI is generated, representing maximum height of built development above existing ground level (Sports hall parapet = 101.8m AOD.)

ZVI, generated with Google Earth Viewshed analysis tool, using Google Earth terrain data.

DRAFT

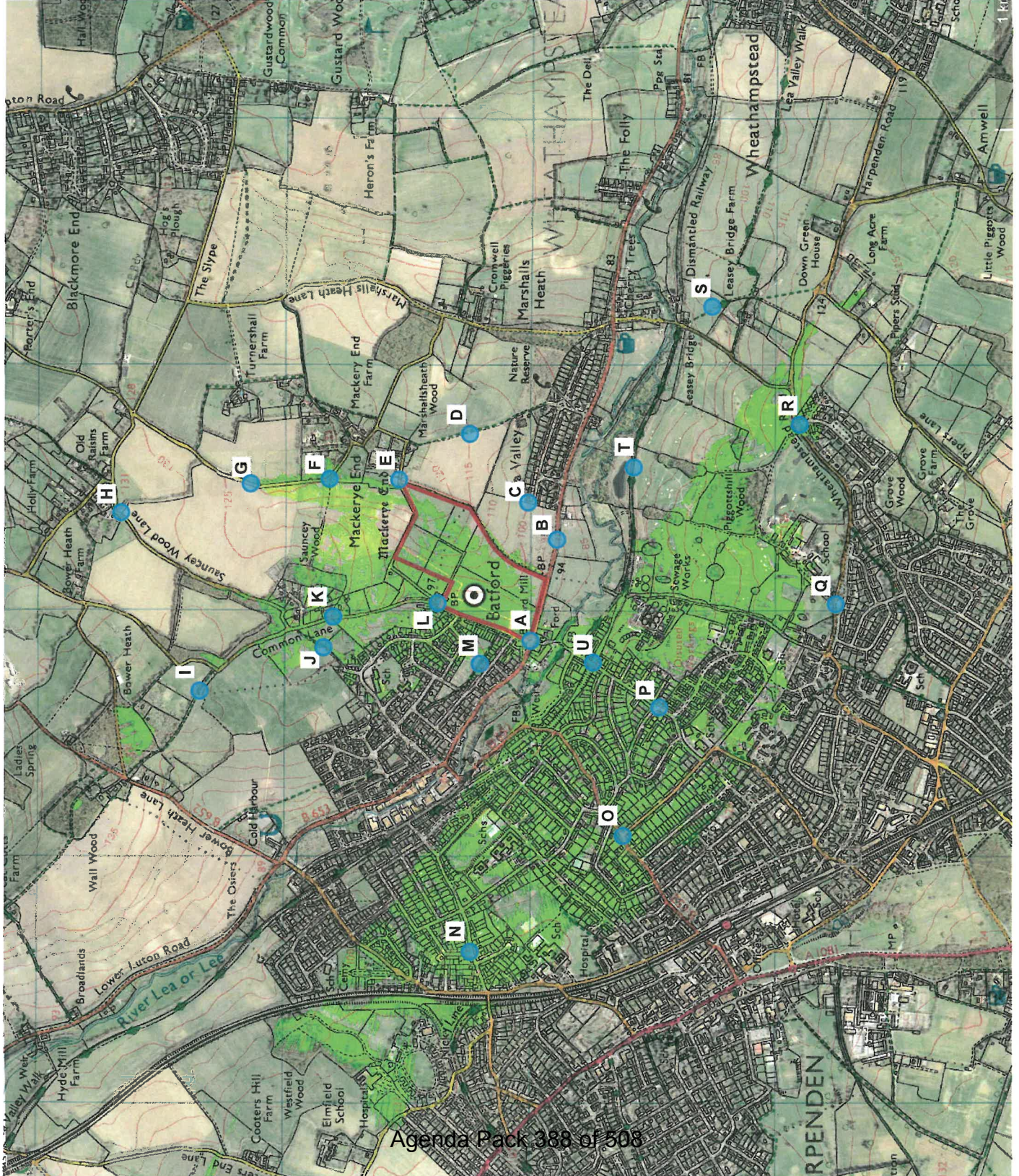
L17406 Harpenden Free School, Herts

Zone of Visual Influence

Scale NTRS@ A3  
July 2017



thelandscapepartnership







## Landscape Effects

Table 11 shows the how significance of landscape effects are categorised

Table 14: Measuring significance of effect					
Magnitude of change	Sensitivity of receptors				
		<b>High</b>	<b>Medium</b>	<b>Low</b>	<b>Negligible</b>
	<b>High</b>	Major	Major/ Moderate	Moderate	Moderate/ Minor
	<b>Medium</b>	Major/ Moderate	Moderate	Moderate/ minor	Minor
	<b>Low</b>	Moderate	Moderate/ Minor	Minor	Negligible
	<b>Negligible</b>	Moderate/ Minor	Minor	Negligible	Negligible/ None

Table 15: summary of short and long term adverse landscape effects: <b>overall significance</b>		
<b>Effect</b>	<b>Year 1</b>	<b>Year 10</b>
Major	Landform; Viewpoint A	
Major-moderate	Landuse; Upper Lea Valley LCA (vicinity of the site); Viewpoints: E, L, M, Q, U	Landform; Viewpoint A
Moderate	Blackmore End LCA (vicinity of site)	Landuse; Upper Lea Valley LCA (vicinity of the site);
Minor-moderate	Viewpoints: K, O, P	Viewpoints: E, K, O, P
Minor	Vegetation Landscape Upper Lea Valley LCA (as a whole) Viewpoints: C, D, F, N, S	Vegetation Landscape Upper Lea Valley LCA (as a whole) Blackmore End LCA (vicinity of site) Viewpoints: C, D, F, N, S
Low		
Very Low	Viewpoint R	Viewpoint R
Negligible	Viewpoints: B, I Blackmore End LCA (as a whole)	Viewpoints: B, I Blackmore End LCA (as a whole)
No change	Viewpoints: G, J, T	Viewpoints: G, J, T
None	Viewpoint: H	Viewpoint: H

Table 16: Representative viewpoints			
Viewpoint	Visual sensitivity: value	Visual sensitivity: susceptibility to change	Overall visual sensitivity
A	Medium	High	High
B	Low	Medium	Low
C	Medium	High	High
D	Medium	High	High
E	Medium	High	High
F	Medium	High	High
G	Low	Medium	Low
H	Low	Medium	Low
I	Medium	High	Medium
J	Medium	High	High
K	Medium	High	High
L	Medium	High	High
M	Medium	High	High
N	Medium	High	High
O	Medium	High	High
P	Medium	High	High
Q	Medium	High	High
R	Medium	High	High
S	Medium	High	High
T	Medium	High	High
U	Medium	High	High

Table 17: Landscape effects: <b>site features</b>		
	Year one, winter	Year 10, summer
<b>Landform</b>		
Sensitivity: High		
Magnitude assessment:	High	Medium
Size/scale:		
Geographical influence:	High	High
Duration/ Reversibility	High	High
Overall magnitude of effect	High	Medium
Significance of effect	<b>Major</b>	<b>Major-moderate</b>
Nature of change:	Adverse	Adverse
<b>Land use</b>		
Sensitivity: Medium		
Magnitude assessment:	High	Medium
Size/scale:		
Geographical influence:	High	High
Duration/ Reversibility	High	High
Overall magnitude of effect	High	Medium
Significance of effect	<b>Major-moderate</b>	<b>Moderate</b>
Nature of change:	Adverse	Adverse
<b>Vegetation</b>		
Sensitivity: Medium		
Magnitude assessment:	Low	Low
Size/scale:		
Geographical influence:	Medium	Medium
Duration/ Reversibility	High	High

Overall magnitude of effect	Low	Low
Significance of effect	<b>Minor</b>	<b>Minor</b>
Nature of change:	Neutral	Beneficial
<b>Landscape related historic assets</b> Sensitivity: Medium		
Magnitude assessment: Size/scale:	Low	Low
Geographical influence:	Low	Low
Duration/ Reversibility	High	High
Overall magnitude of effect	Low	Low
Significance of effect	<b>Minor</b>	<b>Minor</b>
Nature of change:	Adverse	Adverse

Table 12: landscape effects: <b>landscape character</b>		
	Year one, winter	Year 10, summer
<b>LCA33: Upper Lea Valley (As a whole)</b> Sensitivity: Medium		
Magnitude assessment: Size/scale:	Low	Low
Geographical influence:	Low	Low
Duration/ Reversibility	High	High
Overall magnitude of effect	Low	Low
Significance of effect	<b>Minor</b>	<b>Minor</b>
Nature of change:	Adverse	Adverse
<b>LCA 34: Blackmore End Plateau (As a whole)</b> Sensitivity: Medium		
Magnitude assessment: Size/scale:	Low	Low
Geographical influence:	Very Low	Very Low
Duration/ Reversibility	High	High
Overall magnitude of effect	Very Low	Very Low
Significance of effect	<b>Negligible</b>	<b>Negligible</b>
Nature of change:	Adverse	Adverse
<b>LCA33: Upper Lea Valley (vicinity of site)</b> Sensitivity: Medium		
Magnitude assessment: Size/scale:	High	Medium
Geographical influence:	High	High
Duration/ Reversibility	High	High
Overall magnitude of effect	Medium	Medium
Significance of effect	<b>Major-moderate</b>	<b>Moderate</b>
Nature of change:	Adverse	Adverse
<b>LCA 34: Blackmore End Plateau (vicinity of site)</b> Sensitivity: Medium		
Magnitude assessment:	Medium	Low

Size/scale:		
Geographical influence:	Very Low	Very Low
Duration/ Reversibility	High	High
Overall magnitude of effect	Medium	Low
Significance of effect	<b>Moderate</b>	<b>Minor</b>
Nature of change:	Adverse	Adverse

Table 13: Visual effects: <b>viewpoints</b>		
	Year 1, winter	Year 10, summer
<b>Viewpoint A:</b> Looking north-east At: Junction of B653 Lower Luton Road and Common Lane c.85m AOD Sensitivity: High		
Magnitude assessment:	High	Medium
Size/scale:		
Geographical influence:	High	High
Duration/ Reversibility	High	High
Overall magnitude of effect	High	Medium
Significance of effect	<b>Major</b>	<b>Major-moderate</b>
Nature of change:	Adverse	Adverse
<b>Viewpoint B:</b> Looking west B653 Lower Luton Road to east of site c.100m to east of site c.94m AOD		
Magnitude assessment:	Low	Low
Size/scale:		
Geographical influence:	Low	Low
Duration/ Reversibility	High	High
Overall magnitude of effect	Low	Low
Significance of effect	<b>Negligible</b>	<b>Negligible</b>
Nature of change:	Adverse	Adverse
<b>Viewpoint C</b> Looking west Manor Road, at western edge of Lea Valley Estate c.250m to east of site c.98 AOD Sensitivity: High		
Magnitude assessment:	Very Low	Very Low
Size/scale:		
Geographical influence:	Very Low	Very Low
Duration/ Reversibility	High	High
Overall magnitude of effect	Low	Low
Significance of effect	<b>Minor</b>	<b>Minor</b>
Nature of change:	Adverse	Adverse

<b>Viewpoint D</b> Looking west Public Bridleway 54 between Mackerye End and Lea Valley Estate c.230m east of site c.115 AOD Sensitivity: High		
Magnitude assessment: Size/scale:	Very Low	Very Low
Geographical influence:	Very Low	Very Low
Duration/ Reversibility	High	High
Overall magnitude of effect	Very Low	Very Low
Significance of effect	<b>Minor</b>	<b>Minor</b>
Nature of change:	Adverse	Adverse
<b>Viewpoint E</b> Looking south-west Mackerye End Lane near to junction with public footpath no27a. Edge of Conservation Area North east corner of site c.125m AOD Sensitivity High		
Magnitude assessment: Size/scale:	Low	Low
Geographical influence:	Medium	Medium
Duration/ Reversibility	High	High
Overall magnitude of effect	Medium	Low
Significance of effect	<b>Major-moderate</b>	<b>Minor-moderate</b>
Nature of change:	Adverse	Adverse
<b>Viewpoint F</b> Looking south Point on Mackerye End (lane) Northern edge of Conservation Area c.320m to north of the site c.125m AOD Sensitivity: High		
Magnitude assessment: Size/scale:	Very Low	Very Low
Geographical influence:	Very Low	Very Low
Duration/ Reversibility	High	High
Overall magnitude of effect	Very Low	Very Low
Significance of effect	<b>Minor</b>	<b>Minor</b>
Nature of change:	Adverse	Adverse
<b>Viewpoint G</b> Looking south Point on Mackerye End (lane) c.600m to north of the site		

c.125m AOD Sensitivity: Low		
Magnitude assessment: Size/scale:	No change	No change
Geographical influence:		
Duration/ Reversibility		
Overall magnitude of effect	No change	No change
Significance of effect	<b>None</b>	<b>None</b>
Nature of change:	None	None
<b>Viewpoint H</b> Looking south Sauncey Wood Lane c.1.1km to the north of the site c.131m AOD Sensitivity: Low		
Magnitude assessment: Size/scale:	No change	No change
Geographical influence:		
Duration/ Reversibility		
Overall magnitude of effect	No change	No change
Significance of effect	<b>None</b>	<b>None</b>
Nature of change:	None	None
<b>Viewpoint I</b> Looking south-east Public Footpath no. 60 leading westwards from Common Lane c.1.0km to the north-west of the site. c.130m AOD Sensitivity: Medium		
Magnitude assessment: Size/scale:	Very Low	Very Low
Geographical influence:	Very Low	Very Low
Duration/ Reversibility	High	High
Overall magnitude of effect	Very Low	Very Low
Significance of effect	<b>Negligible</b>	<b>Negligible</b>
Nature of change:	Adverse	Adverse
<b>Viewpoint J</b> Looking south-east Public Footpath no.61 from Harpenden to Sauncey Wood c.530m to the north-west of the site. c.115m AOD Sensitivity: High		
Magnitude assessment: Size/scale:	No change	No change
Geographical influence:		
Duration/ Reversibility		
Overall magnitude of	No change	No change

effect		
Significance of effect		
Nature of change:		
<b>Viewpoint K</b> Looking south Common Lane c. 470m to the north of the site. c.115m AOD Sensitivity: High		
Magnitude assessment: Size/scale:	Medium	Medium
Geographical influence:	Low	Low
Duration/ Reversibility	High	High
Overall magnitude of effect	Low	Low
Significance of effect	<b>Minor-moderate</b>	<b>Minor-moderate</b>
Nature of change:	Adverse	Adverse
<b>Viewpoint L</b> Looking east Common Lane c.80m from site boundary c.97m AOD Sensitivity: High		
Magnitude assessment: Size/scale:	Medium	Medium
Geographical influence:	Medium	Medium
Duration/ Reversibility	High	High
Overall magnitude of effect	Medium	Medium
Significance of effect	<b>Major-moderate</b>	<b>Major-moderate</b>
Nature of change:	Adverse	Adverse
<b>Viewpoint M</b> Looking east Public Footpath no.27 c.250m to the west of the site. c.95m AOD Sensitivity: High		
Magnitude assessment: Size/scale:	Medium	Medium
Geographical influence:	Medium	Medium
Duration/ Reversibility	High	High
Overall magnitude of effect	Medium	Medium
Significance of effect	<b>Major-moderate</b>	<b>Major-moderate</b>
Nature of change:	Adverse	Adverse
<b>Viewpoint N</b> Looking east Ox Lane c.1.2km to the west of the site. c.120m AOD Sensitivity: High		
Magnitude assessment:	Medium	Medium



Size/scale:		
Geographical influence:	Low	Low
Duration/ Reversibility	High	High
Overall magnitude of effect	Low	Low
Significance of effect	<b>Minor</b>	<b>Minor</b>
Nature of change:	Adverse	Adverse
<b>Viewpoint O</b> Looking north-east B652 Station Road c.880m to the south-west of the site. c.120m AOD Sensitivity: High		
Magnitude assessment:	Low	Low
Size/scale:		
Geographical influence:	Low	Low
Duration/ Reversibility	High	High
Overall magnitude of effect	Low	Low
Significance of effect	<b>Minor-moderate</b>	<b>Minor-moderate</b>
Nature of change:	Adverse	Adverse
<b>Viewpoint P</b> Looking north-east Crabtree Lane c.650m to the south-west of the site. c.115m AOD Sensitivity: High		
Magnitude assessment:	Medium	Medium
Size/scale:		
Geographical influence:	Low	Low
Duration/ Reversibility	High	High
Overall magnitude of effect	Low	Low
Significance of effect	Minor-moderate	Minor-moderate
Nature of change:	Adverse	Adverse
<b>Viewpoint Q</b>		
Magnitude assessment:	Medium	Medium
Size/scale:		
Geographical influence:	Medium	Medium
Duration/ Reversibility	High	High
Overall magnitude of effect	Medium	Medium
Significance of effect	<b>Major-moderate</b>	<b>Major-moderate</b>
Nature of change:	Adverse	Adverse
<b>Viewpoint R</b> Looking north-west. Long Buffers (road) c.1.2km to the south-east of the site. c.125m AOD Sensitivity: High		
Magnitude assessment:	Very Low	Very Low
Size/scale:		

Geographical influence:	Very Low	Very Low
Duration/ Reversibility	High	High
Overall magnitude of effect	Very Low	Very Low
Significance of effect	Very Low	Very Low
Nature of change:	Adverse	Adverse
<b>Viewpoint S</b> Looking north-west. Public footpath no.28 from Leasey Bridge Road to Harpenden Road c.1.3km to the south-east of the site. c.97m AOD Sensitivity: High		
Magnitude assessment: Size/scale:	Very Low	Very Low
Geographical influence:	Very Low	Very Low
Duration/ Reversibility	High	High
Overall magnitude of effect	Very Low	Very Low
Significance of effect	<b>Minor</b>	<b>Minor</b>
Nature of change:	Adverse	Adverse
<b>Viewpoint T</b> Looking north-west. Public Bridleway no.97 from Leasey Bridge to Harpenden Part of Lea Valley Walk Part of National Cycle Route 57 c.600m to the south-east of the site. c.85m AOD Sensitivity: High		
Magnitude assessment: Size/scale:	No change	No change
Geographical influence:		
Duration/ Reversibility		
Overall magnitude of effect	No change	No change
Significance of effect	<b>No change</b>	<b>No change</b>
Nature of change:		
<b>Viewpoint U</b> Looking north. Taken from Crabtree Lane at point where national cycle route 57 crosses the road c.280m to the south of the site. c.94m AOD Sensitivity: High		
Magnitude assessment: Size/scale:	Medium	Medium
Geographical influence:	Medium	Medium

Duration/ Reversibility	High	High
Overall magnitude of effect	Medium	Medium
Significance of effect	<b>Major-moderate</b>	<b>Major-moderate</b>
Nature of change:	Adverse	Adverse

# **Appendix 13:**

## **Representations by Right School Right Place**



Right School Right Place  
c/o Downs Solicitors LLP  
15a High Street  
Cobham, Surrey  
KT11 3DH

(please mark response FAO H Kershaw)

Hertfordshire County Council  
County Hall  
Pegs Lane  
Hertford  
FAO Spatial Planning

Date: 9 October 2017

Ref: PL/0866/17

Dear Sirs,

I write to you in connection with the Planning Application (reference above) which has recently been submitted to the authority.

I write as both resident and Chairman of a Residents Group, Right School Right Place (RSRP), which has been concerned about the proposals that have led to this application since the Council first declared publicly its intentions (September 2013). There is a specific matter which our organisation wishes to bring to your immediate attention and this communication is primarily concerned with that – it does not cover aspects which we are collectively and individually reviewing and it is our intention to make full representations in due course. If this communication in any way precludes subsequent representation, you should return this letter to us immediately along with guidance on the nature of how you accept representations.

The reason for the communication at this time is that we have concerns about a specific aspect of the application, which if correct have significant consequences and therefore, in our view, should be addressed immediately.

In our review (of the submitted material) to date we have noted the Application at sections 25 and 26 contains a declaration by Mrs Ruth Gray of Vincent and Gorbing in the capacity of Agent for the Applicant. There is a declaration date attributable to Mrs Gray of 11<sup>th</sup> September 2017. Section 25 entry, entitled Certificates, asserts that Mrs Gray, in her capacity as Agent, certifies that nobody except The Applicant was the owner of any part of the land to which the application relates 21 days prior to the declaration date i.e. on 21 August 2017 this condition was fulfilled.

We would expect Land Registry records to reflect this ownership. This was not the case in late September – the land identified by HCC for possible acquisition in 2013/2015 falls under title number HD453098 and at the time of submission of the Planning Application showed different registered Owner(s) than the Applicant.

Separately I submitted a Freedom of Information request to the Council, via [whatdotheyknow.com](http://whatdotheyknow.com) where the request and response are visible in the public domain, the response to which was made on 21 September 2017, HCC Reference

EIR/RAP/09/17/14182, and stated that HCC purchased the land concerned on 25<sup>th</sup> August 2017.

It therefore follows that if HCC purchased the land on 25 August 2017, it was on this date that it became the owner and that it was NOT the owner 21 days before the declaration date of 11 September 2017. As such the certification appears to be false, under which circumstances the Planning Authority – in this case Hertfordshire County Council – should not have accepted the Application.

I, on behalf of both RSRP and individually, therefore ask that you immediately investigate this apparent breach of conditions of application and if found to be correct then act with immediate effect to prevent the progression of what would be an illegal application.

It is our view that the minimum response called for in such circumstances is the immediate withdrawal of the application (PL/0866/17), following which we would expect that the Applicant has a choice to re-submit, either with or without modification to the suite of supporting documents, or to abandon its application. We note there is an associated lack of definition about the applicant within the application and web declaration. The latter identifies the applicant as "HCC", the form identifies the applicant as "Hertfordshire County Council / Educational Skills Funding Agency". Apart from the two differences of identity of the Applicant we are taking this opportunity to draw your attention to an apparent error in the submission in box 1 in so far as we are not aware of any public body called the 'Educational Skills Funding Agency' - we believe that this may be a simple error for Education and Skills Funding Agency, which although minor is unfortunately indicative of the manner in which this application has been brought forward and potentially would also invalidate an application. It should also be noted that the Katherine Warrington School, the operating name for the proposed development chosen by the operating Trust – Harpenden Secondary Education Trust (HSET) – has, on its website, published information stating that it together with the ESFA has submitted plans to the County Council, creating the impression that HCC is not an applicant.

We would further draw your attention to the submission under a Call for Sites to St Albans District Council in mid-2016, a developer identification of part of the site in question as potential housing. Neither the Council's previously published material, nor the description at section 4 of this Application identify this element.

We are also aware that the notification process associated with this application has been fraught with notifications apparently being made on various dates between 26 September and, to date, 6 October – the first being the first recorded reference on the Council's planning portal – two weeks after the application declaration date while the last being the posting of official notices on the site boundary (which are dated 6 October). There has been further confusion over the consultation period with a closing date of 31 October 2017 having been initially declared on web, prior to making available supporting documents through to 14 November 2017 which has multiple consultation periods depending on which means of notification applies but resulting in approx. 5½ weeks for last notifications. On the basis that the ownership issue requires withdrawal and re-submission we would ask that HCC provides much clearer and consistent notification and consultation periods, preferably identifying the duration of any consultation and the period over which it is expected to run.

Given the volume of material published, the fact that a consultation of sorts has commenced and that there may be a legal obligation to withdraw and resubmit we would further ask that the Council makes absolutely clear what the status of the documents supporting any application are – in particular if these are identical (and therefore do not require those who

have examined submitted documents to do so again), whether there are any changes to specific documents and the status of any comments submitted to date to PL/0866/17 application. We specifically note that notification has gone out to other public authorities, in some cases requiring generation of related legally binding documents. In particular we are aware of St Albans District Council's obligation to produce a matching registration of the application, which will be rendered invalid if PL/0866/17 is invalid. We expect the County Council to advise SADC and any other such body it has so notified of any changes that are required as a consequence.

It is our expectation that as a matter of good practice that appropriate action will be instigated. We note that this includes potential fine to an applicant for false declaration and we would expect that HCC would wish to fully investigate how its processes have apparently failed in this matter. We would be grateful if you could respond to us identifying what specific action the Council is taking in respect of the application, any penalty it intends to impose and any internal/external review it is commissioning as a result, along with proposed timetable. Assuming that such actions can be seen to address any issues within Council process for such matters, we expect that it would not be necessary for us to raise a formal complaint, but we reserve our position on this aspect. We confirm that we are happy to provide further information if this is of benefit to the Council.

We are enclosing copies for both Spatial Planning, who we understand to be handling the Planning Application, and for Legal Department / Monitoring Officer given the apparent failure of process.

As per our recent related complaints (which have a clear link in subject matter) we are asking for your responses to be directed to our representatives, who will ensure we are notified.

Yours Faithfully



David Cairns (Chairman Right School Right Place / Hertfordshire resident)





18 OCT 2017

Right School Right Place  
c/o Downs Solicitors LLP  
15a High Street  
Cobham, Surrey  
KT11 3DH

(please mark response FAO H Kershaw)

Hertfordshire County Council  
County Hall  
Pegs Lane  
Hertford  
FAO Spatial Planning

Date: 18 October 2017

Ref: PL/0866/17

Dear Sirs,

I write to you in connection with the Planning Application (reference above) which has recently been submitted to the authority.

I write as both resident and Chairman of a Residents Group, Right School Right Place (RSRP), which has been concerned about the proposals that have led to this application since the Council first declared publicly its intentions (September 2013). The following relates to specific matters which our organisation wishes to bring to your immediate attention and this communication is primarily concerned with that – it does not relate to aspects which we have previously raised (in our letters of 9, 16 October) nor does it preclude matters we may note while we are continuing our collective and individual reviewing and it remains our intention to make full representations in due course. We note that no responses have been received to date in respect of the previous letters above, and therefore we consider this, and any subsequent communication do not preclude further communication / representation in this matter.

The reason for the communication at this time is that we have further reviewed some documents and believe there are further very significant potential errors and omissions in the current information that potential preclude full and fair evaluation of the proposals for the purposes of consultation. These relate to one area and are addressed in one specific document, with two other documents covering a related aspect. We believe these errors/omissions are sufficiently significant as to warrant drawing these to your attention now.

▼ **Education Needs Statement** (Harpenden education needs statement September 2017 110917 FINAL)

At the time of writing (18 October) no apparent changes – additions or amendments – have been made to the above document. The version in the supporting documents is dated 14 September 2017, 10.46am, while the 'date filed' shows 28 September. We understand this to be the date on which the document would have been made publicly available.

We note section 1.10 which states "This document has been prepared to support a detailed planning application for a new secondary school on land to the north of the Lower Luton Road

Harpender". We further note that no historic Needs Assessment, in particular any Needs Assessment produced in support of either the reports into this matter published in January 2011 or February 2015 have been presented in support of the application. Similarly no Needs Assessment has been published relating to the area at the time Hertfordshire County Council initiated proceedings to give authority for land purchase related to this matter (Summer 2013). We therefore conclude that HCC, in their role as Applicant / Joint Applicant, are submitting this evidence as the sole evidence on which it is basing its case of Need.

Section 2 of the document outlines the function of HCC and that it has specific forecasting model which it has used for some time for the purposes of determining shortfalls and surpluses in school places. We acknowledge that this methodology has been employed by HCC in this way and would go further in saying that HCC place high reliance on the model for projects across the County – the direct output of the forecast modelling has been produced and made public for many years and submissions to the Local Planning Authority reference both the model and its public publication.

Sections 3.5 – 3.10 address the Demand for the school, which has previously been addressed as direct output from the forecasting model above. For this application HCC (as Applicant) has departed from its established practice as noted in sections 3.9, 3.10 which state "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." The evidence submitted then states that HCC has adjusted its forecast for the purposes of this planning application.

We note that no supporting evidence of the scale of the adjustment proposed by HCC (as Applicant) has been provided. In essence an unspecified number of pupils have been added to this forecast. This represents a departure from accepted practice and separately we can find evidence of approval – through the applicant's established processes of Cabinet Panels – of a change in modelling method. Further we see no evidence that any Panel has authorised departure from standard practice to be delegated to Officers, and there is no specific approval in a Panel for these figures. The matter is compounded in so far as the routinely produced forecasts are radically different – the current forecast on the Applicant's website being described as 'Summer 2016-17' forecast. In practice HCC would, by now, have published its 2017-18 forecast and, as of time of writing this has not occurred.

We consider that while the information in the standard forecast should accompany this application, along with a quantified statement of any non-standard changes affecting the application support material, there would be a secondary comparison of the base information for the year had HCC published its full forecast. This is particularly pertinent as there change affects adjacent areas according the description provided. Normally the forecasts are available from June/July each year, and are subject to an Autumn update – therefore not only is 2017-18 forecast significantly overdue, the previous forecast has not benefited from its Autumn update.

We therefore submit that it is impossible to form a judgement for the purposes of submission of representation about this matter when fundamental information has not been provided by the Applicant (HCC). In this instance this goes to the heart of the matter in respect of Very Special Circumstances which is reliant on demonstration of Need. This is therefore a foundation stone for the whole application.

Please be advised that we consider this is an unacceptable failing on the part of HCC as an applicant and will be pursuing this matter directly with the Council. The range of interpretation of the actions of the applicant (HCC) include whether the applicant has knowingly permitted unsubstantiated evidence to be submitted to the Planning process.

Unless the Spatial Planning department is fully satisfied that this is not the case then the criticality of the evidence to the case would suggest that the application be withdrawn and not resubmitted until such times as a substantial base of evidence is made available. We therefore ask you give this matter your immediate attention.

The question of need also cascades into the issue of location of need, which HCC (as Applicant) appears to have chosen to address in the Transport / Traffic sections. It is our belief that the local Need question should in fact appear in the Needs assessment area and that there is prior evidence within HCC that this is the appropriate forum for its consideration (reviewed under prescribed Scrutiny processes). HCC (as Applicant) has however chosen to address this within the transport section. The document Katherine Warrington School TA Final Issue is one of two that identify where pupils will travel from (section 6.1.2) with source identified: "The full methodology utilised by HCC Children's Services is described in the 'Forecast of pupil places for Transport Appraisals' (HCC, 2014b) report, with the projected pupil distribution shown on the plot included as Appendix 7 ...." As we have already pointed out Appendix 7 is missing, furthermore the supporting reference is not included with the Planning Application documents and the same document indicates, like the Needs modelling above, that the method of analysis is untested "In order to predict the catchment area of the proposed school, a bespoke methodology was assembled by HCC Children's Services department and informed the 'Highway and Access Feasibility Study' (Stomor, 2015b) undertaken for the site." (section 6.1.1) Again the reference is not readily available to the application.

In essence there are therefore two fundamental matters which are characterised by unsupported evidence and represent departures from standard practice. This reinforces the case for immediate consideration.

### ***Other Content***

As per previous indication we are continuing to review documents and note that the application falls in two wards – Harpenden North East, which is identified and Harpenden Rural (Wheathampstead Parish) which is not identified and apparently the local Member is uninvolved. The Northern aspect, abutting a Conservation area, is the affected segment.

We consider the above matters are sufficiently significant to warrant discontinuance of the current process.

As per our recent related complaints (which have a clear link in subject matter) we are asking for your responses to be directed to our representatives, who will ensure we are notified.

Yours Faithfully



David Cairns (Chairman Right School Right Place / Hertfordshire resident)



**Letter of 16 October 2017:**

Right School Right Place  
c/o Downs Solicitors LLP  
15a High Street  
Cobham, Surrey  
KT11 3DH  
(please mark response FAO H Kershaw)

Hertfordshire County Council  
County Hall  
Pegs Lane  
Hertford  
FAO Spatial Planning

Date: 16 October 2017

Ref: PL/0866/17

Dear Sirs,

I write to you in connection with the Planning Application (reference above) which has recently been submitted to the authority.

I write as both resident and Chairman of a Residents Group, Right School Right Place (RSRP), which has been concerned about the proposals that have led to this application since the Council first declared publicly its intentions (September 2013). The following relates to specific matters which our organisation wishes to bring to your immediate attention and this communication is primarily concerned with that – it does not relate to aspects which we have previously raised (in our letter of 9 October) nor does it preclude matters we may note while we are continuing our collective and individual reviewing and it remains our intention to make full representations in due course. We do not consider this communication in any way precludes such subsequent representation, if you consider otherwise you should return this letter to us immediately along with guidance on the nature of how you accept representations.

The reason for the communication at this time is that we have reviewed some documents and believe there are potential errors and omissions in the current information that potential preclude full and fair evaluation of the proposals for the purposes of consultation.

In our review (of the published material) to date we have noted the following in relation to specific documents:

***Education Needs Statement*** (Harpenden education needs statement  
September 2017 110917 FINAL)

A – Missing section 3.1 within the document

It is our expectation that as a matter of good practice that appropriate action will be instigated. We note that this includes potential fine to an applicant for false declaration and we would expect that HCC would wish to fully investigate how its processes have apparently failed in this matter. We would be grateful if you could respond to us identifying what specific action the Council is taking in respect of the application, any penalty it intends to impose and any internal/external review it is commissioning as a result, along with proposed timetable. Assuming that such actions can be seen to address any issues within Council process for such matters, we expect that it would not be necessary for us to raise a formal complaint, but we reserve our position on this aspect. We confirm that we are happy to provide further information if this is of benefit to the Council.

We are enclosing copies for both Spatial Planning, who we understand to be handling the Planning Application, and for Legal Department / Monitoring Officer given the apparent failure of process.

As per our recent related complaints (which have a clear link in subject matter) we are asking for your responses to be directed to our representatives, who will ensure we are notified.

Yours Faithfully

David Cairns (Chairman Right School Right Place / Hertfordshire resident)

*Developments (9 October 2017 matters)*

- *Certificate A issue – additional Certificate B added 26 October 2017. This certificate (B) is dated 13 October 2017, but is presented as having been checked as part of complete application which retains a signature from Ms Ruth Gray dated 11 September 2017, some 5 weeks before the date attributed to Certificate B and a further 2 weeks before publication. This fails to address the issue of ownership in accord with requirements.*
- *The application was not rejected or withdrawn in response to this error. A revised issue did take place on 26 October 2017, with a shorter 21 day period for consultation. This was attributed to a different reason.*
- *Correct identification of the Education and Skills Funding Agency (a co-applicant) was made on 26 October by way of amendment to frontsheet of application.*
- *No comments received on role of Katherine Warington School, the Trust – HSET. Or the structure of the relationship between co-applicants has been noted*
- *Confusion over the end of consultation was initially clarified then amended, but not in all areas, to 16 November 2017 (from 14 November 2017). No explanation has been offered for the variety of commencement dates between 28 September 2017 and 6 October 2017 (site boundary notices). It is noted that 'new commencement dates of 26 October 2017 only appeared in Press and site notices.*

of identity of the Applicant we are taking this opportunity to draw your attention to an apparent error in the submission in box 1 in so far as we are not aware of any public body called the 'Educational Skills Funding Agency' - we believe that this may be a simple error for Education and Skills Funding Agency, which although minor is unfortunately indicative of the manner in which this application has been brought forward and potentially would also invalidate an application. It should also be noted that the Katherine Warington School, the operating name for the proposed development chosen by the operating Trust – Harpenden Secondary Education Trust (HSET) – has, on its website, published information stating that it together with the ESFA has submitted plans to the County Council, creating the impression that HCC is not an applicant.

We would further draw your attention to the submission under a Call for Sites to St Albans District Council in mid-2016, a developer identification of part of the site in question as potential housing. Neither the Council's previously published material, nor the description at section 4 of this Application identify this element.

We are also aware that the notification process associated with this application has been fraught with notifications apparently being made on various dates between 26 September and, to date, 6 October – the first being the first recorded reference on the Council's planning portal – two weeks after the application declaration date while the last being the posting of official notices on the site boundary (which are dated 6 October). There has been further confusion over the consultation period with a closing date of 31 October 2017 having been initially declared on web, prior to making available supporting documents through to 14 November 2017 which has multiple consultation periods depending on which means of notification applies but resulting in approx. 5½ weeks for last notifications. On the basis that the ownership issue requires withdrawal and re-submission we would ask that HCC provides much clearer and consistent notification and consultation periods, preferably identifying the duration of any consultation and the period over which it is expected to run.

Given the volume of material published, the fact that a consultation of sorts has commenced and that there may be a legal obligation to withdraw and resubmit we would further ask that the Council makes absolutely clear what the status of the documents supporting any application are – in particular if these are identical (and therefore do not require those who have examined submitted documents to do so again), whether there are any changes to specific documents and the status of any comments submitted to date to PL/0866/17 application. We specifically note that notification has gone out to other public authorities, in some cases requiring generation of related legally binding documents. In particular we are aware of St Albans District Council's obligation to produce a matching registration of the application, which will be rendered invalid if PL/0866/17 is invalid. We expect the County Council to advise SADC and any other such body it has so notified of any changes that are required as a consequence.



which we are collectively and individually reviewing and it is our intention to make full representations in due course. If this communication in any way precludes subsequent representation, you should return this letter to us immediately along with guidance on the nature of how you accept representations.

The reason for the communication at this time is that we have concerns about a specific aspect of the application, which if correct have significant consequences and therefore, in our view, should be addressed immediately. In our review (of the submitted material) to date we have noted the Application at sections 25 and 26 contains a declaration by Mrs Ruth Gray of Vincent and Gorbing in the capacity of Agent for the Applicant. There is a declaration date attributable to Mrs Gray of 11<sup>th</sup> September 2017. Section 25 entry, entitled Certificates, asserts that Mrs Gray, in her capacity as Agent, certifies that nobody except The Applicant was the owner of any part of the land to which the application relates 21 days prior to the declaration date i.e. on 21 August 2017 this condition was fulfilled.

We would expect Land Registry records to reflect this ownership. This was not the case in late September – the land identified by HCC for possible acquisition in 2013/2015 falls under title number HD453098 and at the time of submission of the Planning Application showed different registered Owner(s) than the Applicant.

Separately I submitted a Freedom of Information request to the Council, via [whatdotheyknow.com](http://whatdotheyknow.com) where the request and response are visible in the public domain, the response to which was made on 21 September 2017, HCC Reference EIR/RAP/09/17/14182, and stated that HCC purchased the land concerned on 25<sup>th</sup> August 2017.

It therefore follows that if HCC purchased the land on 25 August 2017, it was on this date that it became the owner and that it was NOT the owner 21 days before the declaration date of 11 September 2017. As such the certification appears to be false, under which circumstances the Planning Authority – in this case Hertfordshire County Council – should not have accepted the Application.

I, on behalf of both RSRP and individually, therefore ask that you immediately investigate this apparent breach of conditions of application and if found to be correct then act with immediate effect to prevent the progression of what would be an illegal application.

It is our view that the minimum response called for in such circumstances is the immediate withdrawal of the application (PL/0866/17), following which we would expect that the Applicant has a choice to re-submit, either with or without modification to the suite of supporting documents, or to abandon its application. We note there is an associated lack of definition about the applicant within the application and web declaration. The latter identifies the applicant as "HCC", the form identifies the applicant as "Hertfordshire County Council / Educational Skills Funding Agency". Apart from the two differences

Evidence that forms RSRP responses to the planning application or other communications is therefore collated and presented from the many ways our membership and participants feel able to have their say. This includes collating letters, notes, conversations, hand-written comments or opinions expressed in public fora. A more detailed collation of planning and information responses from these wide ranging sources is being prepared for inclusion in a subsequent RSRP planning response submission.

<http://www.rsrp.co.uk/>

## **Appendix 2**

A number of letters have been submitted to Spatial Planning by our group covering matters in the application. The majority were to Spatial Planning alone, though some were to Spatial Planning and other departments of HCC. The letters are repeated below, along with an update of changes including any responses or additional material provided to the Application data. Items are dealt with chronologically.

### **Letter of 9 October 2017:**

Right School Right Place  
c/o Downs Solicitors LLP  
15a High Street  
Cobham, Surrey  
KT11 3DH

(please mark response FAO H Kershaw)

Hertfordshire County Council  
County Hall  
Pegs Lane  
Hertford  
FAO Spatial Planning

Date: 9 October 2017

Ref: PL/0866/17

Dear Sirs,

I write to you in connection with the Planning Application (reference above) which has recently been submitted to the authority.

I write as both resident and Chairman of a Residents Group, Right School Right Place (RSRP), which has been concerned about the proposals that have led to this application since the Council first declared publicly its intentions (September 2013). There is a specific matter which our organisation wishes to bring to your immediate attention and this communication is primarily concerned with that – it does not cover aspects

## **Appendix 1**

**Right School Right Place (RSRP)** is a group made up of concerned residents in the wider Harpenden Schools Planning Area who support the need for a new district school (or other appropriate and sustainable routes to timely school place provision). RSRP is committed to sharing impartial information on the new school debate with a focus on community engagement, analysis, dissemination and transparency.

Centralised or internet-based engagement potentially excludes large sectors of our community. Significant effort is therefore put into delivering equal access to information and participation in order to reduce the effect of potentially discriminatory practice by others. RSRP recognises that potential members and participants are from a variety of backgrounds is committed to equality of access and participation. RSRP acts as a voice for communities and residents, including those who may be described as hard-to-reach. This includes helping members access, process or respond to information made available by County or other school-related organisations/groups, including the very large amount of planning documentation currently coming into the public domain.

Founded in 2013, RSRP membership is currently significantly over 1,000 active participants (that we can identify) with high concentrations in East and North Harpenden, Wheathampstead, Kimpton and villages to North East of Harpenden. There is a formal committee, a defined set of agreed terms, regular meetings and AGM with audited accounts and other formalities associated with a properly formulated not-for profit organisation. Membership is measured via a number of criteria:

- Committee members
- Individuals who sign in to one of our events
- Volunteers who help and support our work
- Members of the public who take part in our events, activities and on-line presence.
- Petition signatories including those who have joined in as a result of third party initiatives
- Members of our on-line discussion group
- People who have openly backed our activities in a range of 3<sup>rd</sup> party contexts

**RSRP in the community:** Since 2013 RSRP has organised many community engagement events and activities, including formal public meetings, information dissemination drop-ins, petitions, coffee sessions, table-top sales, plant sales, toy tombolas, quiz nights, newsletters, leaflets and more. We've been a visible presence at events such as Larks in the Parks and Wheathampstead Village Day. In addition to information collation and analysis, since 2013 RSRP has worked in a variety of ways to overcome potential bias from internet-based activities. Of particular value is our role in local information sharing and engagement, specifically where County or other interested parties have declined to bring information and events into affected communities.

The detrimental effect on highways (safety and convenience) is briefly discussed elsewhere, although there appears to be no request for comment/consultation from traffic police or similar. Site access proposals will lead to potential additional safety hazards. Proposals for internal circulation on the site, lack of adequate parking, external access issues, mismatched transport planning and the poor match to local need will create safety hazards, nuisance and additional parking in local streets. Nearby roads are already narrow and constricted and there is already a busy thriving primary school in the area. The proposal would lead to additional and parked vehicles on adopted highway verges/road which will further restrict road widths to the detriment of other road safety, users and neighbouring settlements, including access by emergency vehicles.

While the proposals appear to be for 6FE, school hours only, with no sports lighting, other parts of the planning documentation call for lighting at the top of the hill and state the intention that the school will be in used in and out of school hours, 7 days a week. These conflicts and lack of specification/effect on the community are not clearly defined.

For the above reasons we urge the council to refuse the application.

### **Summary**

At this stage it is our conclusion that there are significant omissions in the evidence presented by the applicants, and conflicts between documents and evidence as presented. These are of sufficient scale that the Council has no option but to refuse the application as it has been submitted.

We will continue our review as stated based on recently submitted evidence and assumptions for omitted evidence and submit our follow up representation as indicated above.

Submitted by David Cairns, Chairman Right School Right Place, on behalf of members of our organization.

District Archaeologist, CPRE, recent HCC reporting, a third party letter from Cambridge, Wheathampstead Parish Council and potentially others as attention grows. There is also the issue of potential significant structures/finds identified in the lower portion of the field (in the area potentially allocated for car parking or for excavation as a flood mitigation pond). Given the growing body of evidence, it is essential that all archaeological interventions are completed fully in accordance with national guidance and best practice (something that the District Archaeologist himself has been involved in developing) before any consideration can be given to the validity of the planning application.

For the above reasons we urge the Council to reject the application.

- **Overlooking, loss of privacy, visual amenity, noise, disturbance and other matters**

Our concerns in this matter, which will be expanded within our further representation, include:

The contents of this planning application affect a wide geographic area, given that the site is a prominent green belt site on the edge an otherwise quiet village/residential settings and settlements. The proposals clearly describe something that will have an adverse on the area, including noise, disturbance, overlooking, loss of privacy and overshadowing, traffic and nuisance, to name a few. For example, sports noise and potential lighting at the top of the hill will have direct impact on the listed building that is closest to the sports facilities, and wider impact across the valleys.

The school is a high impact build, highly visible across a wide area, but in particular the sloping site and large building proposed in close proximity to an existing residential setting will be overbearing to nearby houses. The local setting is of historic housing, mill, listed buildings and established housing on sloping sites. Visibility and other impact is not therefore restricted to houses along Common Lane. The modern box structure will be completely out of context, in size and demeanour. In particular, there is unspecified expansion to 8FE which can only add to the size, bulk, overshadowing and more. The buildings are very high in comparison to neighbouring properties, with immediate visual impact in the immediate vicinity and also across a wide area of the rest of Harpenden.

A school in what is essentially a small village will irrevocably affect the character of the neighbourhood from one that is predominantly quiet to one that is potentially busy all day, every day. The design, including bulk, mass and materials shows no evidence of sympathy with the green belt setting or wider community built environment. It is overbearing, out of scale and out of character with the existing development. The loss of views over a wide area of Harpenden is very poorly described within the planning application, and will affect the residential amenity over a wide area. It will have an adverse effect on neighbouring listed or conservation area building and their specified views.

Right School Right Place  
c/o Downs Solicitors LLP  
15a High Street  
Cobham, Surrey  
KT11 3DH

St Albans District Council  
Civic Centre  
St Peter's St  
St Albans  
AL1 3JE

FAO Planning

Your Reference: 5/2017/2733

Date: 26 October 2017

Planning Application Ref: PL/0866/17 (Hertfordshire County Council) / 5/2017/2733 (St  
Albans District Council – Proposed Secondary School

Dear Sirs

We are a residents group formed in 2013 following an announcement by Hertfordshire County Council of its intent to acquire land in Balford, Harpenden for the purpose of establishing a new secondary school. Our members are overwhelmingly residents in the District and are largely based in Harpenden East, Wheathampstead or Harpenden North Wards. We have for some time been campaigning for proper public hearing of the case for a school through a number of channels, including the Local Plan process in St Albans, and there is considerable interest among our members and the local population.

You will probably be aware that for some time Hertfordshire County Council representatives have stated locally that they expected the Planning Application to be brought to District Council in line with similar previous applications. In the event it has now been submitted by HCC as an applicant in conjunction with the Education and Skills Funding Agency (part of DfE) to HCC as a Planning Authority. It is understood that District and Town/Parish Councils will be consulted also and that this would be through the standard cascade process that allows for, and indeed encourages, localised representation.

Our organisation held an open day on Saturday 14<sup>th</sup> October following the publication of notices relating to the application. At this stage HCC had published details, the mirror application in your own portal had been published (ref 2733) with, it has to be said, little to differentiate it as a "consultee" application to the untrained eye. We did clarify that this was the role of SADC prior to our meeting but it was equally our understanding that as such SADC's role in relation to the Planning Authority was akin to that of a Town or Parish Council in relation to when District is the Planning Authority and as such it is open to, and indeed would encourage, resident input to the process. Over and above this basic concept many of our visitors on the 14<sup>th</sup> specifically said they expected a proactive role from District, given the background, the topic and what many felt was a feeling of isolation from the HCC process.

We have had a significant follow up response in the form of multiple letters with common themes from our visitors and others who have heard of the matter subsequently.

We therefore have a total of 87 responses, based on a series of core themes that we had been able to identify from the published information ahead of 14 October, which our members and visitors wish to be brought to the attention of SADC and taken into account in the considerations of SADC consultee process. A number of our members were also puzzled at the apparent exclusion of Wheathampstead Parish Council as a formal consultee when the site is partly in Harpenden East and part Wheathampstead ward with significant works and, arguably very significant impact on the Ward. We note HCC identified Harpenden North East as the sole Ward (and similarly excluded Harpenden Rural), however the neighbour notification list included many Wheathampstead addresses

We note the recently posted comment on the SADC website in the Planning section, to the effect that SADC clarifies its position as a consultee and points out that representations should be made to HCC as part of its hearing process. However as indicated above our members are of the view that their District Council should be aware of their views and incorporate these within their considerations, all the more so when it appears other representation through lower tier authorities will be potentially frustrated through exclusion, or in the case of Harpenden Town Council, delay – HTC announced at their Plans A meeting on 24<sup>th</sup> that they would take the proposal to full Town Council, the next meeting of which is 27<sup>th</sup> November i.e. coincident with your own Planning Referrals Committee where it is understood you will hear this matter. At best this is confusing for members of the public who are left wondering how their concerns will be conveyed by their representatives to the appropriate meeting. We therefore ask that you accept these representations in the spirit in which they are being submitted.

Regards



David Cairns

Chairman RSRP (Right School Right Place)

Encl. 86 representation letters + one envelope believed to contain representation letters



Right School Right Place  
c/o Downs Solicitors LLP  
15a High Street  
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St Albans District Council  
Civic Centre  
St Peter's St  
St Albans  
AL1 3JE

FAO Planning

Your Reference: 5/2017/2733

Date: 27 October 2017

Planning Application Ref: PL/0866/17 (Hertfordshire County Council) / 5/2017/2733 (St Albans District Council – Proposed Secondary School)

Dear Sirs

We are a residents group formed in 2013 following an announcement by Hertfordshire County Council of its intent to acquire land in Batford, Harpenden for the purpose of establishing a new secondary school. Our members are overwhelmingly residents in the District and are largely based in Harpenden East, Wheathampstead or Harpenden North Wards.

We recognise the role of St Albans City and District Council is that of a Consultee in the matter of this application and have focused the detail of our comments on matters that we believe relate to District considerations. It is our intention to make a more substantial representation directly to application process, although we would ask you to note that the sheer volume of information is, in our view, beyond that which it is reasonable to expect lay readers to assimilate. We ask you to note that at time of writing we have raised numerous omissions in the evidence presented in support of the application and that to date none of these have been addressed by the Planning Authority.

We are aware that the requirements for Very Special Circumstances apply to this application, which, if granted, we understand will require removal of land from Green Belt. The requirements of VSC are quite onerous and we are aware that the whole reason for the site being identified and an application being brought forward is driven by an assessment of Need (for school places). Such assessments are provided by Hertfordshire County Council and only by HCC – there is no independent source such as DfE. HCC has declared over years of submissions in support of school expansions and for consideration of Local Plans that its principal source of information is Forecasts produced by Schools Planning, usually produced in early Summer each year and updated in Autumn. These are published on HCC website and have until recently the current version has been 'Summer 16-17 Forecast', however a new version has been added late this week. This forecast also appears to have



the same file title as previous version, but on opening shows 2017-18 interim. The forecasts can be accessed at [www.hertfordshire.gov.uk/services/schools-and-education/at-school/school-planning/school-planning.aspx#DynamicJumpMenuManager\\_1\\_Anchor\\_2](http://www.hertfordshire.gov.uk/services/schools-and-education/at-school/school-planning/school-planning.aspx#DynamicJumpMenuManager_1_Anchor_2). The 'current version' that had been displayed for over 12 months and was originally expected to be published in June/July 2016, it was live at the time of HCC's presentation to SADC's PPC in September 2016. The new version, declared (at 27 October) as Summer 16-17 forecast contains different information from previous publications by HCC. The general practice for these forecasts (at Secondary level) is to produce 11 years forward information, albeit that the initial year is often issued after all applications have been processed. The previous forecast followed this format – the interim forecast, noted today, has only 4 years forward data for most of the County – the exception being Harpenden Planning Area for which 10, rather than 11 standard, years are shown. The accompanying 'Meeting the Rising Demand' reports – published on the same page of HCC website – currently (at 27 Oct) retain the 2016/17 Summer planning data – these outline HCC plans and recent changes.

The forecasts are produced in areas, which are different to Priority areas that are used to guide the allocations process. In this instance the Schools Planning area is HCC reference 11, which is centred on Harpenden; the priority area for residents is larger and is based on St Albans District, and includes the 'St Albans' Planning Area, which effectively is the Southern half of the District. There are therefore three sets of current figures relating to the Planning Application that are in circulation – the Rising Demand forecast – as published at time of submission of Application to HCC; the Interim forecast – as published on or about 27 October and severely curtailed from standard practice and the figures that are published in the Application. These are shown in Appendix 1 to enable comparison – the figures submitted in support of the Application are contained within section 3 of the Education Need Assessment provided as a support document.

There are wild variations in the forecast information provided. Overall HCC have previously claimed figures are accurate to 1%. In practice HCC have declared that they have had to amend the forecasts for the Application – the reasoning is outlined in sections 3.5-3.11. HCC (as co-Applicant) has departed from its established practice as noted in sections 3.9, 3.10 which state "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." The evidence submitted then states that HCC has adjusted its forecast for the purposes of this planning application.

There is no supporting evidence for the scale of the adjustment proposed by HCC. In essence what appears to be an unspecified number of pupils have been added to this forecast. This represents a departure from accepted practice and separately we can find no evidence of approval – through the applicant's established processes of Cabinet Panels – of a change in modelling method. Early analysis of the newly released data suggests this is no more than a crude percentage (we deduce 8.69%) added to the forecast model run for 2017/18 in HCC's standard manner – the derivation of the figure is not given.

In section 3.7 of the Needs Assessment HCC identify a move of pupils from Harpenden to St Albans as a major contributory factor to change of dynamic. In practice there is an underlying factor for children who attend particular types of school – single sex, particular Faith etc – which are only available in St Albans and serve the whole Priority Area, including Harpenden, e.g. St Albans Girls School, and the regular demand for such places is not differentiated. It is known that short term places were provided at Sandringham School for the past three years – 25 places were offered in 2015 & 2016 and 55 places were offered in 2017 – however these were initially offered to Wheathampstead resident pupils in the first two years and in 2017 40 were ring fenced for Wheathampstead, 15 for Harpenden – of

these 31 were taken up by Wheathampstead and 4 from Harpenden. (see Appendix 2 for extract from HCC published Allocations data – after Continuing Interest Round 2 2017-18 entry).

This highlights another issue – how much of Harpenden is in Harpenden Town? In practice HCC's Planning Area includes two out of District areas – Hemel Rural North (Dacorum) and The Waldens (North Herts). HCC directs pupils from these areas towards Harpenden for schooling. In the course PPC meetings for the formulation of the Local Plan, RSRP brought to the Council's attention that HCC figures indicate over 700 pupils from these areas are directed towards its Harpenden Schools Planning area, i.e. that more than half a school comes from out of District – a point that SADC stated (in PPC) that it was aware of, but not aware of the scale of. The Wheathampstead allocations to Sandringham were instituted because Villages outside Harpenden Town were suffering much poorer admission rates to Harpenden schools than was the case – 80% getting a preferred (ranked) choice (one of four) compared to over 95% in Harpenden Town. In practice Kimpton and villages further North were getting lower success rates than Wheathampstead pupils.

It is our contention that the allocation rules applied by schools adopting HCC's standard lead to disadvantageous outcomes for pupils at distance from a school. In the Harpenden planning area nearly 40% of pupils are resident outside the Town, either in Villages in St Albans District or in villages in adjoining districts / Boroughs. The larger share of these are in the two main villages in the North of the district – Redbourn and Wheathampstead.

We therefore ask 'what is the purpose of the forecast system?' – it is to accurately predict where demand will come from so that resources can be planned to match. Each year HCC produces summary statistics of the ACTUAL applications it received for Primary and Secondary school entry. Appendix 3 shows extracts for the St Albans District as presented by HCC for 2017 entry. What can be seen is that Harpenden Town accounts for around 400-450 pupils - a figure that includes (at secondary) applicants who choose to go to school outside Harpenden's three current schools. In practice our analysis of HCC data shows that there has been a drift up from around 360-380 pupils to around 420-430 in the Town, and there is a short term peak where numbers rose higher. HCC's statistics drawn up for its work by Vincent & Gorbing in 2014/15, analysis of which was submitted by RSRP to PPC between July and October 2016, identified that a 'greater Harpenden' figure peaked at just under 500 resident pupils based on a forecast demand of 820 in peak year – a figure that subsequently reduced to 749 in the last full forecast, of which Harpenden Town's share is approx. 450 (peak). The plans for the school envisage lifting Harpenden based secondary capacity to 750 – essentially meaning 300 pupils per year will be required to travel in to the Town. Over 7 years of schooling this equates to a net inward movement of 1,700 pupils per day.

There are two key issues with this – large numbers of pupils drawn onto very specific traffic corridors when there are more sustainable alternatives if alternative sites are considered; Secondly any change in demand – upward to squeeze places and downwards to threaten removal of what would become excess capacity - will see a return to the disadvantage experienced by distant pupils who will continue to be last in the queue for places due to the distance rules in the allocation system. Due to the physical locations of schools in Harpenden the effects of remoteness are experienced more by pupils to the East than to the West, though both have issues obtaining places.

Under HCC's broad brush approach Wheathampstead was quickly eliminated from consideration for a school, despite, like Redbourn, having been the site of a previous school. Its pupils and those beyond it in Kimpton and Whitwell have suffered repeated bouts of poor

admission success depending on both local demand and on influx of pupils from Out of area when excess places had been available (such pupils can generate Sibling rights which have preference in later years and can lead to displacement of local pupils). SADC is charged with maintaining and promoting the interests of all its residents and those who are dependent upon it under neighbouring practice. It is committed in its policies to providing equality of access – the establishment of a school in close proximity to other schools, all operating similar distance based selection criteria will inevitably perpetuate disadvantage. To meet VSC conditions all reasonable options must have been considered. It is our contention that they have not, they have been artificially excluded by HCC's methodology.

When looking at how HCC has presented supporting information it is clear that it has not analysed its demand and the impact of its proposal to the detriment of large groups of SADC citizens and their children and those of neighbouring Boroughs who are reliant in them. Further analysis of PPC and related matters will show significant unanswered questions about information HCC presented to the Council in September 2016 in support of its claim to have the site added to the DLP – including further deviation from its accepted forecasting practice – this was last reported to PPC in July 2017, when after many years there is still no answer from HCC on the local nature of demand and how this is accounted for.

The question of locality of demand and its impact on Planning / Forecasting has been previously considered by HCC. A county-wide issue has been identified and acknowledged on the basis of a review of Harpenden Education Planning Area undertaken following difficulties. The "Secondary School Place Planning Topic Group" in HCC reviewed the matter from April to September 2006, reporting to HCC's Childrens Schools and Families Scrutiny committee of 11 October 2006. Recommendation 3 within section 5 of the Scrutiny final report called for more granular planning – to parish level - due, amongst other reasons, to risk of error and misrepresentation arising from higher level forecasting in 'hotspot' locations. The recommendations were fully accepted by HCC, changes promised, and indeed lack of progress highlighted in subsequent meetings, but no visible change occurred in the modelling of forecasts either in quieter times or in specific occasions where in effect the findings deemed such change essential. In essence there were reasons why this level of planning was identified and accepted by HCC a number of years ago, but there has been a failure to implement and the current circumstances represent the greatest risk of error and long term irreparable damage through ill-informed decision making that can arise in such circumstances. RSRP has effectively campaigned through public questions to PPC for SADC to demand the level of information identified, but not delivered, by HCC over the past four years as it believes SADC deserves appropriate evidence on which to base a decision which RSRP expects would be wholly different in nature and have greater beneficial outcome for its residents with the benefit of the correct evidence.

It follows that if the school progresses in the wrong place the consequences identified by many other objectors will follow – be this loss of Green, Visual impacts, loss of farming (which has already occurred in part) and very significant traffic issues of both safety and amenity. As VSC requires the root case to be properly prepared and alternatively fully evaluated we ask that SADC insist on this for the greater benefit of its residents in the long term. To do so requires rejection of this application as it stands.

David Cairns

Chairman RSRP (Right School Right Place)

For purposes of local identification my home address (within the District) is 37 Common Lane, Harpenden, Herts AL5 5BT

Right School Right Place  
c/o Downs Solicitors LLP  
15a High Street  
Cobham, Surrey  
KT11 3DH

(please mark response FAO H Kershaw)

Hertfordshire County Council  
County Hall  
Pegs Lane  
Hertford  
FAO Chay Dempster, Principal Planning Officer, Spatial Planning

Date: 2 November 2017

Ref: PL/0866/17

Dear Mr Dempster,

Thank you for your letter of 1 November, received this morning. I write to you in response to that letter and again with further matters in connection with the Planning Application (reference above) which has recently been submitted to the authority.

I write as both resident and Chairman of a Residents Group, Right School Right Place (RSRP), which has been concerned about the proposals that have led to this application since the Council first declared publicly its intentions (September 2013).

I appreciate your candour in your response of 1 November, and note the matters raised in previous letters are being addressed. In no particular order, those matters which we consider have been addressed now are:

- Joint Applicant name – the correction of the minor error noted (ESFA now correctly identified)
- Transport Assessment – Appendices 22-28 now located however it is noted that these were loaded under an identity that did not favour ease of identification – having had files listed in sequence part 1, part 2, etc. to suddenly switch to a totally unrelated descriptor '170248-EV-2017369-V1\_Part2' is confusing and offers lessons for future.

I cannot find any trace of the balance of Appendices (3-8) from Transport Assessment and, as attached print of documents shows, there is no change to the original zip folder date, nor any documents listed as 'further information'. A review of those documents with recent dates has not revealed the missing Appendices, which the sequence would have suggested was expected to have been '...part 3'. If these are present can you identify where in the publicly accessible documents associated with the application.

I note the other comments regarding omissions and the actions taken to address these omissions. I note further that this accounts for a substantial proportion of the missing elements and that, by definition, they remain absent from the material publicly available, with over 4 weeks elapsed in the process.

I am further concerned that having spoken to our advisors there is an apparent disregard of Section 327A of Town & Country Planning Act, which I understand states that as a Planning

Authority you should not have entertained an incorrect application. This reinforces our initial submission to you where the remedial action would appear to be simple – withdraw and resubmit as a new application. I further understand that this element of the Act was introduced a few years ago for exactly this type of circumstance.

I am considering this point further, along with the balance of your letter, but thought it worthwhile to advise my views on the above in the interim.

The following relates to specific new matters which our organisation wishes to bring to your immediate attention which are similar in nature (in part) to those raised in our letter of 16 October. It does not preclude further matters we may note while we are continuing our collective and individual reviewing and it remains our intention to make full representations in due course. The reason for the communication at this time is that we have reviewed some documents and believe there are potential significant errors and omissions in the current information that preclude full and fair evaluation of the proposals for the purposes of consultation.

In our review (of the published material) we have noted the following in relation to specific documents:

***Landscape and Visual Impact Assessment and Green Belt Impact Review (FS0448 – TLP-ZZ-XX-RP-L-0810\_LVIA Greenbelt Impact Review)***

- 1) The document references at 6.1.12 on page 23 regarding visual impact that the worst-case scenario of the views was considered, this section further states 'the viewpoint locations were reviewed on site in July 2017'. At no point in the document does it explain how these views were chosen, by who and why they are considered worse-case scenarios.
- 2) On page 3 of the same document in the methodology and assumptions section at 2.1.1 it states, 'The detailed application of these Guidelines, the criteria and categories used, and the assumptions and limitations applied are set out at Appendix 1: Methodology.' This document **does not exist** in the material presented within the application.
- 3) There multiple questions marks on why some points where selected and others were not when assessing visual impact. There were no photos taken from any of the bus stops in direct view of the site which are natural gathering places for people, for example the bus stop on Milford Hill near its junction with Tallents Crescent. Similarly, there are no views from any point on the footpath which borders the eastern site boundary, but there are views from a parallel footpath much further east. It is difficult to comprehend the logic of such choices in the absence of any statement of guiding methodology.

***Architecture: Elevations***

- 4) Particularly concerned that if you followed point 3 (for example) and the assumptions listed in section 2.2.1 on page 3 it draws you to a specific drawing which purports to represent building locations but requires reference to other drawings to assess the height of the buildings proposed. When seeking to do this it is apparent that the drawings with height annotations on them are not to scale, as the scales provided would suggest for example the sports hall is in excess of 20m high, yet the reference levels suggest it is more like 10m (ref 210-06-11-P0479-0210 rev 06 sports centre elevations, which can be found in the elevations section of the architecture set of zip files). However, as the reference levels do not align accurately with build heights on

the plans, it is impossible to form a view. Furthermore, the build height referencing uses ground level heights for the finished development and does not specify the changes to existing levels and therefore it is unclear how any visual assessment within the report can relate to the existing topography. This would appear to be a fundamental omission from the LVIA work.

On checking the information provided as drawing 'FS0448-TLP-ZZ-XX-DR-L-0100' in HCC Document pack, this differs from the information provided as the same drawing number in the copy of the application registered with St. Albans City and District Council (5/2017/2733). The latter provides detail of site contours as existing and post development – unfortunately much of the information is barely legible when opened in a standard screen as a pdf file.

We consider the discovery of further matters (see our letter of 16 October) of a similar nature are sufficiently prevalent and numerous to warrant being beyond an acceptable level of minor checking errors for such a submission, and as such require withdrawal of the application.

We note that despite an immediate need to address such issues identified, those addressed to date have taken 2 weeks to be responded to, and in most cases are not fully resolved. The discovery of further significant gaps in the information provided means it is unlikely that the council will address these before closing consultation. As such we consider we have no alternative but to reinforce our earlier complaint about a similar matter to the Council, and trust that you will pass a copy to your complaints manager, who we understand is within the department. We are unsure if this will classify as additional material in our existing complaint, or will constitute a new complaint – please advise or ask the investigating officer to do so.

As per our recent related complaints (which have a clear link in subject matter) we are asking for your responses to be directed to our representatives, who will ensure we are notified.

Yours Faithfully

A handwritten signature in black ink, appearing to be 'David Cairns', with a long, sweeping horizontal line extending to the right.

David Cairns (Chairman Right School Right Place / Hertfordshire resident)



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(please mark response FAO H Kershaw)

Hertfordshire County Council  
County Hall  
Pegs Lane  
Hertford  
FAO Kathryn Pettitt, Monitoring Officer  
Chay Dempster, Principal Planning Officer, Spatial Planning

Date: 6 November 2017

Ref: PL/0866/17

Dear Ms Pettitt & Mr Dempster,

I wrote to you on 2nd November with initial response to Mr Dempster's letter of 1st November, received on 2nd November. In that response, which addressed some immediate matters, I indicated I would continue my review of the points raised. On further reflection, I write to further complain about several points.

I have attached a copy of the supporting document listing for the Application ref PL/0866/17. As of today, 6 November 2017, there are no further additions of supporting material, such as those referred to your letter of 1st November. In particular Appendices 3-8 relating to the Transport Assessment are still missing, and it is also clear that no new document has been added directly in the application documents zip files or under the generic title given for the missing appendices / documents. On the basis your comments refer to publicly viewable material there are only two plausible explanations:

- a) You were not aware that the "Appendices 3-8 were uploaded to the website last week" (as stated) had not been successfully uploaded, or
- b) You were aware that said documents were not present at the time you stated they were.

The first option could be plausible if, for example, you had been misinformed by colleagues that documents had been uploaded, but, particularly in the circumstances, could be considered negligent in failing to check. The second alternative is a greater concern as, if deliberate, it implies dishonesty and a willingness to mislead. Both are very serious matters and warrant further investigation, as is the apparent failure to check this matter before sending out the letter dated 1<sup>st</sup> November.

You go further in your letter in regard to the missing documents to say that consultation has been extended by 2 days to accommodate 21 days to allow further comments to be made on the new material – "I confirm that the consultation period given on the site notice, press notice and website has been extended to 16 November to allow 21 days for comments to be made". There are several issues arising from this statement, particularly:



- A) Given the documents have not been upload, by your stated rules, a minimum of 21 days should be given to allow comments to be made on said documents **when** they are finally uploaded on the website. The earliest this can be true is 7<sup>th</sup> November, which means, as a minimum, consultation should run until at least 28<sup>th</sup> November if the documents are uploaded then.
- B) Can you explain why it is only a minimum of 21 days and not 6 weeks which you identify in the 5<sup>th</sup> paragraph of your letter, and, as pointed out in my previous letters<sup>1</sup>, is appropriate to a major development project of this nature.

As indicated in the previous letters we consider that that the scale of error and omission, as yet uncorrected for the most part, is such that the integrity of the application process has been lost. Having re-read Mr Dempster's letter of 1<sup>st</sup> November we would expect that the Council by its own standards would be obliged to suspend the current 21 day consultative period until missing data is presented publicly – at this point the consultative period would resume at the beginning of the 21 day period. We ask you to do this as a minimum now.

We further ask that you respond to the apparent change of rules from 6 weeks to 21 days and provide justification for a shorter resumed application. As we have indicated on a number of occasions recently this is a very serious matter and we expect all questions to be answered. We remain of the view that the most practical means of addressing the clear failings of process in this matter is to withdraw the current application pending re-submission, if appropriate, in a complete form under a new application number.

We are aware that the responsibilities of the Council are potentially two-fold in this application – they are potentially applicant as well as the Planning Authority in this matter. The status of applicant is further clouded by having joint applicants and by the use of an agent, declared as Vincent & Gorbing Associates. For the avoidance of future doubt I would be grateful if you could clarify the roles of the key parties in this matter in order that we avoid confusion over responsibilities. Our current understanding is that Spatial Planning are fulfilling the role of Planning Authority, and therefore the department's responsibilities exclude the content of the information submitted, but do include assessment of that information for compliance and the dissemination of information to those involved in the Application's assessment (including public for consultation). The applicants are named as HCC and ESFA – their naming separately implies there is no joint single body established for this project, is this correct?, and are individual entities responsible for different aspects or are both entities equally responsible for every activity? Our impression is that no other body has a direct responsibility in this consideration, all others are contractors, agents, etc, – again is this correct? The only other named party is Vincent and Gorbing – are they the only party with a formal role in the application process, and which of the applicants are Vincent & Gorbing engaged by?

As indicated above I (on behalf of the Group I chair) am requesting that you investigate the circumstances which led to the incorrect information being disseminated and treat this as a formal complaint – either an extension of existing complaint or new as best fits your internal processes. Please advise how this is to be dealt with.

Yours Faithfully



David Cairns (Chairman Right School Right Place / Hertfordshire resident)

<sup>1</sup> On 2 November two letters were sent to Hertfordshire County Council – one to Mr C Dempster which concentrated on Spatial Planning matters, the other to Ms K Pettitt which referenced the letter to Mr Dempster, addressed points of a more legal nature

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FAO Kathryn Pettitt, Monitoring Officer  
Chay Dempster, Principal Planning Officer, Spatial Planning

Date: 13 November 2017

Ref: PL/0866/17

Dear Ms Pettitt & Mr Dempster,

I write to you on behalf of Right School Right Place, of which I am Chairman. For purpose of clarity, Right School Right Place (RSRP) is a residents association, formed specifically in response to Hertfordshire County Council (HCC)'s announcement of intent in September 2013 to purchase land for establishing a new school. This has since become the Planning Application for the Katherine Warrington School under the reference number above. The core of our membership are residents in HCC wards of Harpenden North East and Harpenden Rural (formerly St Albans Rural). On a personal basis I am a Hertfordshire resident, which is, I understand, a pre-requisite for some dealings with the Council.

On this occasion I write to follow up my letters of 2<sup>nd</sup> and 6<sup>th</sup> November 2017, the latter to both of you, the former being two individual letters highlighting different points. I believe that the current position is, as it was on the 6<sup>th</sup> November 2017, such that matters of Spatial Planning Protocol and Legal Department / Monitoring are so closely entwined that it is not possible to separate these.

Specifically in relation to the 6 Appendices from the Transport Assessment section of the Planning Application above, I note these have now been added to the Planning Portal, dated 7<sup>th</sup> November 2017 and noted 8<sup>th</sup> November 2017 alongside five additional / revised transport elements (dated 8<sup>th</sup> November 2017). I therefore draw your attention to points made in my letter 6<sup>th</sup> November 2017:

*" You go further in your letter [Mr Dempster's letter of 1<sup>st</sup> November 2017] in regard to the missing documents ... "I confirm that the consultation period given on the site notice, press notice and website has been extended to 16 November [2017] to allow 21 days for comments to be made". There are several issues arising from this statement, particularly:*

- A) *Given the documents have not been uploaded, by your own stated rules, a minimum of 21 days should be given to allow comments to be made on said documents **when** they are finally uploaded on the website. The earliest this can be true is an upload date of 7<sup>th</sup> November [2017], which means, as a minimum, consultation should run until at least 28<sup>th</sup> November [2017] if the documents are uploaded then."*

I am therefore surprised not to have seen any alignment of the consultation period to the actual date that these missing documents were made available. There is no visible change in date from the 16<sup>th</sup> November 2017 on the planning portal; nor has there been any receipt of an indication that one is expected. In essence the Council appears to declare a protocol under which such matters would be addressed, only to appear to break their own protocol two weeks later.

As a matter of urgency, given the remaining time on the current declared consultation period, can you advise if it is the Council's intent to change the date of the close of consultation, and if so, until what is the new date and when will this be declared in the public domain? The urgency of this arises as there are less than 4 working days until the declared conclusion.

It is further noted that material with bearing on the Education Needs was also added, this time late on 10<sup>th</sup> November 2017. Again it is unlikely that anyone, other than those constantly checking your web-site, would have any indication of the existence of the response - which appears at first glance to contain significant new information -, and accordingly would have insufficient opportunity to assimilate this and make informed comment in the 4 working days available in the consultation. Such a process is patently unfair as it disadvantages valid critique through time starvation, and further disadvantages those who have been obliged to make a less than fully informed commentary due to time constraints and non-availability of relevant material.

Yours Faithfully

David Cairns (Chairman Right School Right Place)



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Spatial Planning and Economy Unit  
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Hertford,  
Hertfordshire. SG13 8DN

F.A.O. Mr. Chay Dempster

Your ref: PL\0866\17

16 November 2017

Dear Sir,

**Re: Proposed new 6FE school buildings and associated development at Land to the north of Lower Luton Road, Harpenden, Herts. ref: PL\0866\17.**

We are writing in connection with the above planning application to strongly object to the proposals.

We are a residents group, representing over 1,000 local residents, with high concentrations in East and North Harpenden, Wheathampstead, Kimpton and villages to North East of Harpenden. Further details are provided in Appendix 1.

We note that the Planning Application included a substantial number of documents, which on review revealed a significant number of errors and omissions. We have previously drawn your Council's attention to a number of these as our reviewers discovered them and asked for such matters to be corrected. For those errors and omissions where we believe review and analysis was compromised we have identified a need for mitigation on response times to allow proper consideration of matters. Details of identified errors and omissions are included in Appendix 2.

It is further noted that significant new material was added close to the submission date (from 7 -13 November 2017), i.e. with one week or less remaining and it is

our view that the very limited time available does not give anyone sufficient time to review a number of key aspects of the application.

Given the lack of time afforded, as mentioned above, it is our intention to continue our analysis of the material and to make a further submission or submissions when we have properly reviewed the recently added material, both individually and in the context of the application. We would aim to complete our further review by 30 November 2017. We also note that, as at today, 16 November 2017 (the last declared date for closure of consultation), some significant evidence is still missing. This means we are left with no option but to apply a high level of assumption to our review, and that will be noted on our comments.

Our objections are as follows:

### **Entertainment and Management of the Application**

- **Section 65(5) of the Town & Country Planning Act 1990 (TCPA)**

This section of the TCPA states that a local planning authority shall not “entertain” any application for planning permission where requirements laid out in Articles 13 and 14 of the Town & Country Planning (Development Management) Procedure Order 2015 are not satisfied.

Hertfordshire County Council (HCC) entertained and subsequently validated this application on 12-09-2017 and assigned the reference number PL\0866\17 to it. At this time Articles 13 and 14 of the Town & Country Planning (Development Management) Procedure Order 2015 were not satisfied. RSRP made HCC aware of their error and HCC attempted to correct it by issue of a replacement page and a retrospective alternative certification (added to Planning Portal circa 26 October 2017) but, in our view, failed to do so. Nonetheless however, application PL\0866\17 was still left live which is contrary to the Policy and therefore should be refused.

The subsequent errors and omissions highlighted elsewhere and in Appendix 2 constitute sufficiently significant omissions to warrant practical assessment by an member of the interested public impossible. We submit that the application should have ceased until such omissions were corrected and a full period for determination re-instituted.

### **Impartiality of Hertfordshire County Council**

It has been confirmed that the land being the application site has been recently unconditionally purchased by Hertfordshire County Council. The same Council had stated publicly in letters from its Director of Education and Early Learning in November 2013, at exhibitions held in December 2013 and elsewhere, its intent to only complete the purchase the land when planning permission was granted. Further HCC appears to have paid “hope value” for the site, i.e. land as a school and not as agricultural land (its existing use), and are now seeking to determine the

planning application citing ownership as a key factor in the viability of the application.

The nature of the application management style adopted, including the failure to discontinue the consideration of the application by requiring its withdrawal, or by extending the consultation period to provide appropriate consultation time, creates an impression that the deadline for completion of the application process is of far greater importance than the quality of the application, abidance by HCC of its own policies and compliance with planning laws.

Given the relationship between HCC as both co-applicant and as planning authority hearing the planning application, we suggest that there should be an even greater responsibility for HCC be seen to be impartial. We do not believe this has been achieved. The impression held by many of our members, given their exposure to years of refusal by HCC to discuss this matter is that the outcome of the process has been predetermined, and this impression has not been dispelled by the management of the application process.

### **National Planning Policy Framework and Very Special Circumstances**

The planning application calls for land to be released from Green Belt to be developed. The relevant Local Planning Authority for the application site itself is St Albans City and District Council for which the last Local Plan was adopted in 1994, with a review of saved policies in September 2007. This review recognizes the saved policies of the Local Plan to include Policy number 1 relating to Metropolitan Green Belt. This saved policy does not identify the application site for release for any form of development and therefore this application contravenes that current policy. In the absence of clear designation within a Local Plan, any proposal for development of Green Belt land must pay regard to national planning guidance, in this case contained within Section 9 of National Planning Policy Framework (NPPF). Paragraph 89 of the NPPF instructs a Local Planning Authority to regard the construction of new buildings in the Green Belt as inappropriate development. This proposal constitutes inappropriate development. It further fails to meet any of the exceptions for buildings defined in paragraph 89 of the NPPF and therefore requires that for a proposal to succeed for any such development it must demonstrate 'Very Special Circumstances' – paras 87 and 88 prescribe the requirement and state that the presumption must be in favour of inappropriateness of development in Green Belt when considering any such proposal. It is our contention that Very Special Circumstances have not been proven in this application. On this basis we submit that the application should be refused.

We note that the applicants' argument for Very Special Circumstances stems from its arguments of Education Need, the cornerstone of which is the Forecasts of School Places produced by one of joint applicants – HCC. At the outset of this planning application, for which public notification was given in late September 2017, HCC had published on the Schools Planning pages of its website forecasts that had been generated in August 2016. Such forecasts were in the form of data

tables and reviewed in summary reports entitled 'Meeting the Rising Demand (for school places)' which have been produced annually for nearly a decade. As noted in Appendix 2, RSRP drew attention to the radically different information attributed to HCC in the application. The application further stated – in the section entitled "Education Needs Assessment" – that HCC had considered it necessary to apply adjustments to the forecast data presented in support of the application. No quantification of the adjustments was presented at time of submission. HCC subsequently provided supplementary information to the application documentation by means of a letter dated 8 November 2017, which was posted on the application's support information folder on the 10 November 2017. The revised/additional information is core to the case that has been presented in support of Very Special Circumstances and all other aspects of the application stem from this source; it is our contention that the presentation of such significant information at such a late stage of the consultation period prohibits reasonable evaluation and critique of the proposal by the prescribed date for closure of consultation. This lack of due time has been further aggravated by failure of the Planning authority to notify our group that a response (from HCC) had been added, despite referencing the source of the question as our organization.

Our concerns in this matter, which will be expanded within our further representation, include:

- Forecasting Process flawed in multiple aspects
- Previous reviews of the Forecasting process identified a systemic risk of failure, as indicated in a formal Scrutiny review by HCC (2006): The outcomes, in particular the risk of systemic failure for 'hotspots' and the need for a more granular analysis of demand, were accepted by HCC, yet no evidence exists of such changes being implemented and therefore the risk has not been mitigated. (This matter appears compounded by the announcement approximately 60% of the way through the consultation period that HCC had introduced a new forecasting model for 2017-18 forecasts which has not incorporated such method change and has failed to produce longer term forecasts, resulting in the withdrawal of the 'Meeting the Rising Demand reports for the current year')
- Evidence of similar gross failings of the forecast in other areas of Hertfordshire
- A failure to analyse information used to make adjustments to numbers which are loosely claimed to be pupils from Harpenden being allocated places in the adjacent St Albans area when HCC's published pupil allocations show that for the St Albans school which agreed to provide additional places, the overwhelming allocation of such places over the three years provided to date was to pupils originating from Wheathampstead 77 (95%) while pupils from Harpenden number only 4 (5%)

The majority of the above affect the aspect of Needs, but also have clear implications for transport and travel and further concerns exist in respect of:

- The nominal allocation of pupils to the school, which fails to reflect the likely dominance of children for whom the school would be the 'nearest' in the priority area (and the associated lack of clarity on where other children are expected to be educated, and the overlapping transport considerations)
- Diligence of the site selection 're-fresh' in the application
- Failure to take account of changes in school admission rules as part of refresh

It is our view that the new material presented is unlikely to provide evidence that would change our initial assessment that it has not been demonstrated that this site is the most appropriate that causes the least harm to the Green Belt, and therefore there is no case for that considerations will outweigh Green Belt and other harm.

### **Green Belt**

- **National Planning Policy Framework and SADC Strategic Local Plan Policy 1 Metropolitan Green Belt and all other relevant planning policies.**

Our concerns in this matter, which will be expanded within our further representation, include:

We accept that further school place provision is needed and that if a new school is to be constructed it is likely to be on the Green Belt. However, there are many potential routes to delivering additional sustainable school places that were not impartially considered in initial/early site selection processes. In addition, routes to school place provision that do not involve any or such large-scale Green Belt usage have not been adequately considered.

Site F fields form a significant proportion of the narrow gap that performs the general Green Belt protective role of preventing urban sprawl and preventing merging between the settlement of Batford and the Parish of Wheathampstead. A school on this site would further extend the urban fringe beyond existing built areas, in particular considering that the Wheathampstead/Harpenden boundary runs through the proposed site. The arrangements of Common Lane and Batford Farm Fields currently present a simple boundary between settlements.

As one example, SADC Policy 1 states that any development shall integrate with the existing landscape. While certain of the planning documents advocate that the school would present an open landscape consistent with Green Belt function, there is a speculative strip, ostensibly for housing. In addition the nature of the school design, including landscape restructuring and the potential for fencing and lighting do not integrate with the existing landscape and are clearly irreversible development that is out of keeping with Green Belt function and the natural landscape. It would be difficult to argue that this land could ever be returned to open farmland.



The proposed development does not meet any of the exceptions listed in Policy 1. For example, it is not a small scale facility for participatory sport, it is not a use appropriate to a rural setting. In relation to Policy 2, it is not a local facility or service needed by the settlement.

East Harpenden architecture, historic buildings, archaeology and green spaces around the River Lea appear to receive far lesser recognition and protection, despite their local, national and world-wide importance, as recognised in a range of local and national policies, reports and research documents. In particular, this East Harpenden green wedge meets more Green Belt functional requirements than any other green belt land surrounding Harpenden, yet it is the most at risk from development.

Within the context of existing primary school place provision, brown field sites, cooperation between existing senior schools and potential available sites, Green Belt use could be significantly reduced or removed by any or all of the following:

- Amalgamation of 6<sup>th</sup> forms into a single location, for example, at Rothamsted, the Harpenden Academy or some other site to free up space at all existing schools for flexible expansion of up to 3FE each. It would have the benefit of centralising and improving access to A Level or other appropriate 6<sup>th</sup> form studies without the current burden of travel between schools and curriculum juggling that currently occurs. This would also improve 6<sup>th</sup> form access and opportunities for many families across the school planning area and potentially reduce travel burdens.
- Expansion of existing schools where currently those schools have chosen not to expand. School extensions and renovations are actively planned by all three schools for a variety of other purposes, and there is arguably space on all sites for considered and targeted beneficial development.
- Other open discussion around innovation in school place provision that would genuinely provide choice an opportunity rather than replicating an existing model which does not suit everyone.
- Reduced Green Belt intrusion by re-using existing school playing fields in Wheathampstead alongside a much smaller land development for school buildings.
- Reduced Green Belt intrusion by using flatter, less prominent sites that are closer to pupils in need. This includes Rothamsted or other sites, where any intrusions into the Green Belt would result in less damage according to the various green belt purposes.

For the above reasons we urge the Council to reject the application.

#### • **Site selection process**

Our concerns in this matter, which will be expanded within our further representation, include:

- The area of search of the original study by V&G removed viable and alternative sites.
- There are other sites which have not been considered...

The recent addition of Needs information (10 November 2017) is being reviewed in this context, however in absence of time to assess, if the Council is minded to progress there is insufficient information to enable acceptance of alignment of local need and for the above reasons we urge the Council to reject the application.

### **Landscape and Visual Impact**

- **SADC Strategic Local Plan Policy 104 Landscape conservation and all other relevant planning policies.**

The planning application includes a Landscape Visual Impact Assessment (LVIA) for the proposed development site. The alternative viable sites A, D, E, G, H, I/J, and K do not have a LVIA and therefore Very Special Circumstances have not been demonstrated by the applicant.

At the time of writing this objection the information available on HCC's website is incomplete and therefore when this becomes available we will review and update this objection for resubmission.

The LVIA includes photographs which they label as "representative viewpoints" of the site. . The viewpoints chosen are not representative in all cases. The site is prominent and visible across a wide area of Harpenden, confirmed by the wide area of Harpenden that is visible from the site. Several key viewpoints were omitted from the LVIA. In the absence of Appendix 1 to provide methodology of assessment any analysis is by definition provisional and if the Council is minded to permit the application then we would urge the Council to reject the application on the current lack of supportable evidence.

The LVIA states:

"The road sits below the level of the site, and a grass embankment on the northern side of the road means the site itself is less noticeable from the road than might otherwise be the case."

This is a more representative viewpoint than the Viewpoint labeled A in the LVIA. The site is prominent from the road and footpath.



**This is a more representative viewpoint than the Viewpoint labeled B in the LVIA. The site is prominent from the road and footpath.**



**This is a more representative viewpoint of the than the Viewpoint labeled D in the LVIA. This view will no longer exist under the proposals in the planning application since this area of the site is to be raised by over 2m in height to form the playing fields.**



**This is a more representative viewpoint than the Viewpoint labeled E in the LVIA. This view will no longer exist under the proposals in the planning application since this area of the site is to be raised by over 2m in height to form the playing fields.**



The LVIA states:

**"A belt of dense vegetation on the eastern site boundary effectively screens views into the site from this direction."**

The photograph below was taken from the highway verge on Common Lane and as can be clearly seen in places the site is prominent from the Eastern boundary.



The LVIA states:

**"The proposals seek to accommodate level changes in a subtle and sensitive manner. Sports fields have been accommodated by extending the natural plateau areas in the south-west and north-eastern areas of the site, to minimise the effects on landform. These sports fields have therefore been accommodated without introducing any obvious artificial landforms."**

The proposed development raises existing ground levels at the natural plateau by 2m (6 feet) and the sides of the existing natural slope by up to 6m (18 feet) to create the sports field plateau of over 100m x 100m. This terracing and re-modeling of the natural landform will introduce an artificial terrace at the highest part of this very visible site.

Whilst no flood lighting is shown in the application, Sport England (a consultee in the planning application) has requested lighting to be provided to the sports areas. It is likely that lighting will be provided in the future and therefore this very unnatural terrace at the top of the valley will be visible and floodlit.

The proposed earthworks does not "minimise effects on landform" it destroys the natural form and replaces it with a higher, more prominent, artificial sports field of significant size. This proposal should be refused planning permission.

With regard to the proposals, the LVIA states

**"Particular attention has been given to views from the south as this is the main direction from which the new building, access road and car park can be seen."**

In the south western corner the proposal show a large and deep pond which forms part of the surface water drainage for the development. The deep water will, for health and safety reasons, undoubtedly have high fencing around it and this fencing will dominate the views into the site from the south. The LVIA has not considered any fencing and therefore it is incorrect for the LVIA state "New tree and hedgerow planting would also enhance the setting of the buildings and

soften views.”

Views from the south will be affected by the proposed road widening and vision splays for the proposed development. The LVIA does not take account of this.

For the above reasons the LVIA falls short in assessing the visual impact of the proposed development and we urge the Council to reject the application.

### **Landscape conservation**

Our concerns in this matter, which will be expanded within our further representation, include:

Within the context of the SADC Local Plan Policy 104, this site falls within a Landscape conservation area that SADC will seek to preserve and enhance. The proposed development will arguably adversely affect the high landscape quality, widely visible across Harpenden.

The fields provide a soft edge to the settlement at Batford into the Green belt. In particular they are narrow steeply sloping sites, with some infrastructure already in situ (e.g. telegraph poles, power lines), with a public footpath/right of way. They are part of what was an active and working farm (bordered by a historic sunken single track road with nearby historic woodlands) until very recently when the tenant farmer was given notice to quit. Farming up to that point was completely in line with the low density management described and promoted in Herts County Councils own Area 33 Landscape Character Assessment.

Any build will encourage further development and likely damage existing historic hedgerows and woodlands. It will also increase coalescence between Batford (Harpenden) and (Wheathampstead Parish) hamlet settlements, as parish boundaries cut through these fields. This contradicts a prime Green Belt function which is to ensure separation between and prevent merging of distinct settlements.

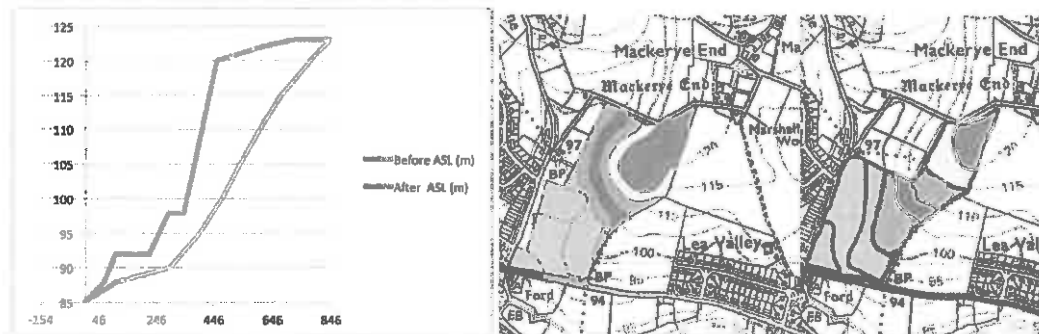
The fields are within Landscape Conservation Area 33 – where the over-riding recommendation is that these valley landscapes with their low density farming/management must be protected, conserved and improved, and where Green Belt Development is to be resisted. The landscape form is described as prominent with a coherent visual unity. The low density farming with hay crops is an important characteristic. This and other landscape and conservation assessment also cites the importance of the vegetation and wildlife and clarifies the importance of narrow, deep-set lanes in the area.

The fields abut Kimpton/Whitwell landscape conservation areas where the importance of these landscape forms is also noted and the recommendation is to improve and conserve, and resist green belt development. They are also designated ‘protect, conserve, improve’ in national landscape character assessments. This school development is in direct conflict with the management and development strategies listed in the Area 33 assessment.

These fields are within the context of local, Lea Valley and Hertfordshire flood plain management strategies with building along the flood plain to be resisted. The importance of these areas (including the neighbouring fields) for overwintering wildlife is recognised, and recommended to be preserved. Visiting wildlife/birdlife in these areas is well documented and development here will be counter-indicated. In addition, national flood risk management policies preclude flood plain developments. The area nearest the Lower Luton Road, and the narrow lanes around the sites are prone to flooding, despite valuable flood prevention action of these sloping fields. Therefore further (natural) flood defence erosion (by over development) is contra-indicated. See, for example, national and Hertfordshire Flood Risk Management strategies.

They are adjacent to Batford Springs Nature Reserve, home to one of only 180 chalk streams in the world, with important wetland features. Batford Springs, recently extended with Marquis Meadow, including the historic Mill and Ford are in very close proximity to the proposed development. The rest of the river valley towards Luton and Wheathampstead are important locations where further expansion and protection of the river plain/flood plain is in progress. Herts and Middlesex Wildlife Trust, in discussion with various councils are running a long term programme to improve the Lea and associated flood plain up towards Luton Hoo.

In particular, the landscape remodeling proposed in the planning application will severely disrupt the landscape characteristics with the construction of relatively steeply sided plateaux. Again, this is in contradiction to local landscape policies.



For the above reasons we urge the Council to reject the application.

- **SADC Strategic Local Plan Policy 102 Loss of agricultural land and all other relevant planning policies.**

The policy states development of such land will “...normally be refused. An exception to the policy may be made if there is an overriding need for the development and there is no alternative land of a lower quality which could be reasonably used.”

Within the context of the SADC Local Plan Policy 102, this site is Grade 3 land where loss of this land would normally be refused. While exceptions could be if there is an overriding need for development (see needs assessment and also site evaluation discussions), that is not the case for this site. Indeed removing the farmer and dividing the fields for speculative development add further risk of loss of farmland. In considering whether there is alternative land of lower quality, that is bound up within needs and site selection, however, there are plenty of alternatives that avoid loss of farmland altogether.

The site part of what was an active and working farm (bordered by a historic sunken single track road with nearby historic woodlands) until very recently, when the tenant farmer was given notice to quit. Farming up to that point was completely in line with the low density management described and promoted in Herts County Councils own Area33 landscape character assessment. The lack of current farming cannot be a material consideration to approve planning, given that the owners removed the farmer expressly for the purpose of obtaining planning permission.

In particular, Hertfordshire is a net importer of agricultural produce, something that the County is seeking to address. The farming practiced, cattle with hay meadows, has multiple benefits that also overlap landscape, wildlife and flood related policies, amongst others.

For the above reasons we urge the Council to reject the application.

- **SADC Strategic Local Plan Policy 106 Nature Conservation, Policy 84 Flooding and river catchment management and all other relevant planning policies**

The Policy 106 states the Council “...will refuse proposals which could adversely affect: (Part (v)) ...the natural regime of either surface or ground water in river valleys and their wetlands”

The application documents include a Flood Risk Assessment carried out by MLM referenced NDA/668388/JG.

The FRA states:

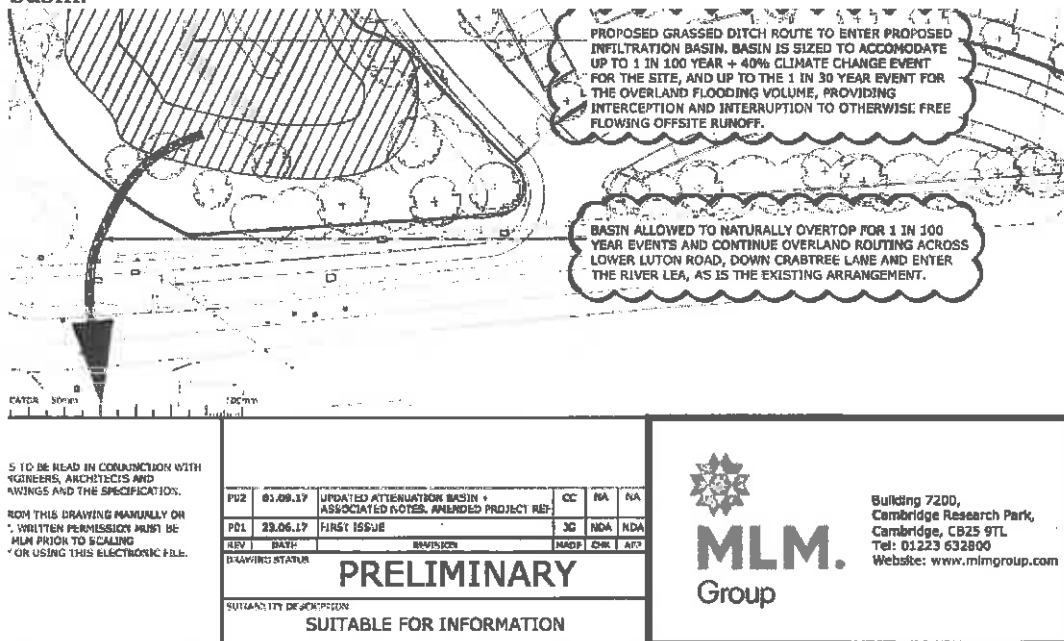
“The proposed surface water strategy does not increase runoff rates in comparison to existing. Any increase in runoff volume will be mitigated through infiltration contained within the SUDS features.”

“soakaways may be feasible in some areas, but would not be feasible for all locations. Further testing will be required during detailed design stage, after topographical re-profiling.”

The viability of the proposed surface water drainage is therefore not certain and the drainage details in the application should not be relied upon.

For this reason the application does not prove there will not be an increase in flood risk arising from the development.

The proposed surface water runoff drainage philosophy allows (at peak flows) surface water to discharge onto the Lower Luton Road from the infiltration basin.



The FRA states “there will be no significant increase in flood risk due to the construction of the proposed development...” which suggests there is an increase in flood risk.

For the above reasons we urge the council to reject this application.

- **SADC Strategic Local Plan Policy 34 Highways considerations in development control and all other relevant planning policies.**

Our concerns in this matter, which will be expanded within our further representation, include:

The Stomor report prepared for HCC reference ST2152/HAFS-1501-Site F Revision 0 details the mitigation measures required for this site and these have been costed by HCC’s consultant at c.£6.5 million. This report is not part of the planning application but it is relevant to this site and the proposed development.

The proposed traffic mitigation measures proposed are woefully inadequate for the traffic that will be using the Lower Luton Road. And appear to be recognised as such in conversation with project staff at exhibition meetings.

In addition, documentation appears to be at odds with other prior traffic data that confirms the road is over-capacity. There is some doubt as to the validity of application-supplied traffic data in that on several occasions surveys have been



observed during periods of road closure (for road works, floods and more) or during school holidays.

For the above reasons we urge the council to refuse the application.

- **Archaeology (emerging evidence – to be reviewed)**

Our concerns in this matter, which will be expanded within our further representation, include:

Archaeological evidence and information related to the planning application has, in places, been contradictory, but recently a more consistent narrative response is emerging. Earlier archaeological surveys (A. Thomas, entirely unrelated to the planning application) indicated significant potential within a lower portion of the field relative close to the Lower Luton Road. Later planning-related investigatory trenching lead to potentially significant discoveries of human remains and artefacts. It would appear from planning documentation that parties with an interesting the development proposal were minimising archaeological potential within and around the site. This is also apparent from conversations at exhibition meetings where one of the project team declared (before trenching) that they were planning a damning report to dismiss earlier surveys.

More recent impartial archaeological contributions are more consistently recommending refusal in some form. Rather than repeat the findings and survey reporting here it is worth just noting the growing body of evidence in the public domain. Opinion has been voiced that because the remains were found in an area outlined to become sports fields, they would be best left in situ. However, extensive landscape remodelling planned as part of the application. Also the potential within, under or between pits is unknown, and there is real danger that artefacts at unknown locations/depths could be destroyed by that landscaping, the built environment or by structures and facilities planned or in the future the sports fields.

Given that the potential is now recognised as rare finds of national importance, full excavation would appear essential for both for study and conservation. It is critical that the extent of the cemetery is accurately established – whether it extends under buildings and car parks or indeed under the ‘set-aside’ land. Soft sites such as burial grounds could be at risk of damage and therefore more investigation would appear essential. There is also the risk of exploitation/ damage from speculative treasure-seekers.

The farm fields are adjacent to the Lea River, which is thought to have been navigable up to Coldharbour. This puts the finds in an increasingly historic setting, including the historic Batford Mill, Ford and listed Thatched Cottage in very close proximity to the proposed development, indeed the proposed development overlooks them. The listed public house – The Marquis of Granby is across the ford. The historic Batford Mill complex is listed in the Domesday Book, along with Wheathampstead Mill and the now demolished Pickford Mill.

Refusal in some form on archaeological grounds has been recommended by the



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KT11 3DH  
(please mark response FAO H Kershaw)

Hertfordshire County Council  
Spatial Planning and Economy Unit  
CHN216, County Hall  
Hertford,  
Hertfordshire. SG13 8DN

F.A.O. Mr. Chay Dempster

Your ref: PL\0866\17

~~16 November 2017~~ January 2018

Dear Sir,

**Re: Proposed new 6FE school buildings and associated development at Land to the north of Lower Luton Road, Harpenden, Herts. ref: PL\0866\17.**

Further to our letter of 16 November 2017, we wrote to you identifying:

- 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.

We have since written to you with further representations, identified as Topic 1, and dealing primarily with the basis on which HCC translated Need into a Site Preference. We now write to you with further elements of our representation. These come from continued analysis, much deriving from the Education Needs Assessment, and where appropriate we will reference this representation or Appendices submitted with it.

We have reviewed the additional material provided, found that it falls short of a complete answer to the questions raised, which has obliged us to research other material and where necessary make assumptions for gaps in the support material. As such we maintain our view that inadequate information has been provided, that this is prejudicial to a fair assessment of the application and therefore have to maintain our objection to the application. In our main response we linked this matter to the Transport assessment – this response deals solely with the Education Needs – the relationship for transport requirements remains as stated and this matter will be addressed as a separate topic. The assessment of the new material and the consequent reasons for our objections are set out below.

## **Topic 2: Transport Assessment**

As noted in previous submissions, various elements of the Transport Assessment were originally omitted from the published pack. It is noted that a series of Appendices were eventually added dated 7<sup>th</sup> November alongside some further transport related information related to bus survey work carried out in October 2017 and was published on 8<sup>th</sup> November. As noted in previous submissions the transport assessment included reference to other work – “On page 34 of 77, 6.1.1 there is reference to ‘Highway and access feasibility study (Stomor 2015b)’ this is neither presented as an Appendix nor listed as one of the reference documents in section 1.2.2” (ref. Appendix 2 of RSRP Topic 1 additional representation) – this does not appear to have been published in the Application material subsequently and remains absent. Similarly material presented in the Application included two (HCC) Highways reports both marked ‘Draft’ – these have not been confirmed as Final versions and as such are capable of being amended after submission – an unsatisfactory basis for making a planning judgement.

It is noted that in the Draft reports there are common elements highlighting numerous problems; the nature of the reports suggest that an initial report was drawn up in August 2017, with a further report later the same month. Both contain diagrams of road arrangements in the immediate vicinity of the proposed school entrance, however the diagrams show differing junction formats for the Common Lane/Lower Luton Road one with and one without a roundabout. Both reports suggest a roundabout, introduced as a safety feature a number of years ago, should be retained. It is further noted that when emerging plans were exhibited in July 2017 the roundabout had been removed, suggesting the Audit would have been informed of this proposal prior to August 2017. It is unclear therefore which proposal is current and which assessment (in draft

form) is the definitive version. As a precaution it is suggested ALL points made in both reports are considered, that the application is not considered until written (and published) confirmation of report completions is obtained from Herts Highways (HCC) and that, if necessary, further audit work is commissioned and published to cover changes in proposals. (Note for the avoidance of doubt the commentary above does not change the views expressed in our previous submission that it is unacceptable for information to be presented in Draft format for a Planning Application).

The material presented in the added Appendices included the basis on which pupil attendance was to be determined, and in particular Appendix 7 showed an estimate of pupils by area. This appears to be the exact same methodology that HCC used for generation of likely attendees for the report published in early 2015. The document 'Forecast of Pupil Places for Transport Appraisals' was not published with Transport Appraisals or the Needs Assessments in the Application, but has been submitted as part of RSRP evidence under its Additional Representation Topic 1 submission as Appendix 6b. (Please refer to that submission for referencing). Appendix 7 of the Transport Assessment appears to be Appendix H(i) of the previous (2015) document and commentary indicates that the same source data was used. As noted in the Needs Assessment commentary there were significant changes in schools admissions after the submission of the (free school) application and the 2014/15 HCC work – in essence this saw the application preferences become more geared to Harpenden Town and will have a progressive effect on allocations, broadly with more Harpenden Town pupils receiving places at the expense of village and out of area pupils. The school making the change was St George's, also a member of the overarching Trust for this school. To make no attempt to include this change throws doubt onto the predictions of the attendance base for the new school.

The situation is further clouded by the statements made as part of the exhibitions held by the applicants to present the (then) emerging planning application material. This included display boards which summarized the situation – these are referred to in the "Statement of Community Involvement", section 4.10 with reference to Appendix 5 – No Appendices have been provided in the Application data (this was brought to the attention of the Planning Authority in our letter of 16 October 2017, and reiterated in our submission of 16 November). In respect of the missing information the boards displayed (which should form the relevant missing Appendix) identified:

- (01) There will be a considerable amount of work (to develop the scheme)
- (02) HCC was updating forecasts – reinforced by HCC schools planner who stated that the Needs Statement previously used (2015 – the only one) was considered outdated and therefore its relevance to transport was also out of date.
- (07) Confirmed that no Transport Assessment had been carried out when the exhibitions, which were to form the basis of the Statement of

Community Involvement (SCI), were held. It was indicated that a scope for a Transport Assessment had been agreed with HCC (Highways) but no details were provided

- (07) It was indicated that the current modal split (for travel) experienced at the schools in Harpenden would be adopted for the new school. The existing schools draw from the population of Harpenden EPA for the most part – material provided in support of the Needs Assessment on 10 November 2017 indicated for the last 5 years of confirmed entrants between 530 and 556 pupils (against a PAN of 572) came from Harpenden EPA; it is also further noted that 60% of school attendees in the EPA are from Harpenden Town and that success rates in Wheathampstead and Kimpton are substantially lower than Harpenden Town. In essence this indicates current attendees at the three existing schools are in the order 65% from Harpenden Town. These are typically within 2km and the applicants indicate an expectation of 26% within 2km for this school – to adopt a modal split from schools achieving 2 in 3 pupils from within 2km and apply it to a school where only 1 in 4 are expected to be within this “walking” distance is nonsensical.
- (07) The plans identify a parental drop off area on site, along with bus/coach parking – part of a loop through design with 79 car parking spaces (plus 18 elsewhere on site). The need for this had clearly been decided before the pupil location profile was known. In addition to the point above there is a current comparator with a very similar schools proposed at the same time as this school in Hertfordshire with similar property involvement from HCC and applicant involvement from ESFA. This parallel project is for Croxley Danes school in Croxley Green, Hertfordshire and is currently subject of a Planning Application to Three Rivers District Council. The application form is included as Appendix 1 of this document. Attention is drawn to sections 3, 10 and 19 which specify the number of pupils (1206 vs 1150 in this application), the number of FTE staff (94 vs 95) and the number of car and cycle spaces – 175 + 9 disabled and 220 cycle spaces. These figures compare to 97 total car spaces (disabled not specified) and 111 cycle spaces. The schools are theoretically the same scale – however as noted in our topic 1 submission Croxley Green have indicated 76% of pupils are within 2km – i.e. one third have longer distances to travel compared to this application – for which greater car provision would be expected.

In summary material presented at the SCI events indicates that wholly unrealistic assumptions were being made in relation to transport. The formal submission that appeared with the application reinforced this approach, deriving the basis for its assessment from the 2015 published work. When that work was originally published (February 2015) HCC, who had commissioned Vincent & Gorbing to prepare the work, stated (in their Enterprise Education and Skills Cabinet Panel of 13 February 2015) that work had been prepared in support of the application for the Free School to the DfE and that it was being handed over to ESFA (the EFA); it was to be noted only (by Members of the Panel) – HCC went on to decline all

questions relating to the content unless or until a Planning application was made. Additionally a proposed exhibition of material from the work, announced at the time it was commissioned, was cancelled and no public commentary has been accepted (by HCC) on the content for 2½ years. As HCC has referred commentary and questioning to Planning Application and has not provided a route to cover this before submission it is appropriate that any reliance on material produced in these reports is open to question at this application. In this section the Forecast of pupil places for transport Appraisals (noted above) is considered:

- The document identifies a methodology for determining an estimate of pupil base and allocation to a new school. When originally prepared this was for an 8FE school, however the transport appraisal indicates that HCC has pro-rated this to a 6 FE school.
- Section 2.1 identified a series of areas into which pupils would be grouped. The report carried a statement “STOMOR TO PROVIDE ADDITIONAL INFORMATION ON HOW THESE BOUNDARIES WERE DEFINED” – in the absence of ability to question any aspect this information was never published. It is noted that there are 7 numbered areas that appears to be essentially Greater Harpenden Town; 10 areas that are named by settlement and, when examining the output an 18<sup>th</sup> area relating to Welwyn and East which was not indicated on either map or the grid in 2.1. The absence of explanation for groupings is frustrating, although it is suggested to reflect likely travel routes from source area. What is apparent is that there is no adherence to County, EPA or Schools (Allocation) Priority area boundaries in the data assignment, for example Markyate – a significant settlement within the EPA is lumped in with Hemel Hempstead (West and South) – which is, for the most part, in a separate EPA and would receive different prioritization at allocation. Some areas of ‘Greater Harpenden Town’ extend into other administrative areas, notably Area 3 which covers Batford, Mackerye End and Marshalls Heath, with more than half its territory in Wheathampstead; Area 7 which similarly extends into Wheathampstead and Area 2 which has a substantial part of North Harpenden Town but extends across town and county boundaries into Central Bedfordshire and includes areas considered for new housing development outside the County. The interpretation of Area 2 in the Transport Assessment in the Application is that it is centred on New Mill End and East Hyde – omitting mention of Harpenden and naming only locations that are out of County (with inherent lower priority as lead role on provision of places falls on a different LEA)
- Section 2.2 (A,B) identifies data sources, of which the prime source is identified as School Census January 2014 to provide locations of (then) current primary school attendees that would be expected to be prime candidates for transfer to secondary in relevant years. This provided relevant information for the first 4 years of expected entry to a new school and was supplemented by ‘allocation’ data (at June 2014) to provide information for a fifth year – this gave a base for 2017-2021 entry. The start year has now changed – to at least 2018 on a temporary basis and 2019 in earnest as a fully operational school. Three years additional data is theoretically available – School Census January 2015, 2016 and 2017

which would allow up to date forecasting of 2019-2023 (based on primary entry 2012-16). HCC has clearly chosen not to update, either as a cross check or as a basis for a new casting of pupils sources for transport.

- Section 2.2 (C) was used to produce a forecast demand for the whole EPA. The rationale is that which is applied to the use of forecasting in general – it provides a basis to plan forwards. However in this instance HCC projected the maximum year in the near future – then (in 2014) a 2019 entry at a predicted 820 pupils, for which it proposed a new local school that would lift EPA capacity to 812 (PAN at 572 + 8FE). The methodology failed to address the impact of excess place availability in quieter years – in essence a key contributory factor in the current apparent shortfall whereby excess places at popular schools are filled by people willing to travel and then the distant pupils acquire sibling rights and effectively lock out places for local children in busier years. This has been the case in recent years, when despite local demand being at or about the notional capacity of the schools, trailing sibling rights have prevented local applications from succeeding. As indicated in previous submissions the effect is felt more according to distance from a school within both EPA generally and ‘nearest school’ meaning remoter EPA villages, particularly to the East / North East have experienced greatest difficulty in securing places. In practice Harpenden Town success rates (in obtaining 1 of 4 preferences) have been above County average. There are two inherent errors in the HCC allocation process – the inability to reflect significant variation in success within the EPA (as concluded by the HCC Scrutiny committee identified in our Topic 1 Additional Representation) and in the simple logic of failing to address how to manage out of area applications and their Sibling effect – the typical admissions as measured by school census suggest 580-590 pupils per year at the 3 schools, with 530-550 from local EPA – essentially even in times when places are difficult to secure 30-60 non EPA places are given each year.
- Section 2.2 (D) states HCC applied the ‘admissions preference profile of the cohort which applied for a secondary school place as part of secondary transfer for September 2013’ and goes on to say this is ‘adjusted for some groups to account for the existence of a new school’. It amplifies this by stating it allows for the ‘current’ pattern of parental preference to be taken in to account. There are many failings with this approach:
  - The school is being established as a long term project to work alongside the three other schools in the area for the foreseeable future. The promoters have been at pains to point out that the school will achieve parity of esteem i.e. will aspire to have at least an equally as high reputation as other schools in the area. The underlying ethos has similarities to the other local schools and in essence the medium – long term the school would be expected to draw pupils on a largely geographic basis. The application of an existing preferential preference, particularly where the choice is essentially a single geographic location (Harpenden Town) for all existing schools as well as the new one takes no account of provision of choice to parents is essentially a no choice situation and there is no rational approach other than the geographic bias inherent in the

admissions process (where at times of strong demand the realistic choice will be determined by territory of the 'nearest' school. Any attempt to cloud the assessment with likely preference at time of start-up is exactly that – a method will fail to reflect the medium – long term aspiration of the school (to achieve parity of esteem).

- Early application of Sibling preference will be unrepresentative until the school has built up a regular pupil base, including trailing sibling effects that will probably continue to divert pupils away from the school for between 5 and 10 years.
- The preference system does not take any account of parental preference for different education choices (such as single sex schools).
- The outcome of the exercise is illogical in that it leads to an exceedingly low and unrepresentative proportion of pupils from the eastern villages at a school which will be defined as their nearest (and therefore most likely to achieve entry. The forecast suggests that 225 pupils will attend from Wheathampstead – about one third of the projected Wheathampstead secondary school population. This is illogical and begs two questions – where will the other 450 pupils attend school (to which the modelling suggests other Harpenden Town schools) and what will the impact be on transport – in essence the transport prediction should include ALL projected journeys on the key corridors from villages to the sole source of secondary education – the main such corridor being the Lower Luton Road.

In summary the basis for pupil allocation is ill thought out and its full ramifications are not evaluated – under the scenario described ALL pupils outside the Town – 40% of the secondary schools combined population – will be obliged to travel into Harpenden with key routes being Lower Luton Road and the B487 Redbourn to Harpenden road. It is also likely that any western village children will have to fully traverse the town if attending the proposed school.

One change noted is the increased emphasis on 'sustainable' transport defined as walking /cycling distance of 2km or less. The proposal identifies 26% of pupil base in that definition – an exceedingly low proportion for an area with reasonable density of population in both Harpenden Town and large village settlements. Alternative sites considered in the 2010/11 studies included other sites to South and South East of Harpenden where additional catchment within the sustainable range will be considerably higher. In essence some sites are closer to Wheathampstead and as our group has pointed out a site in Wheathampstead itself would capture the highest number of additional homes within the sustainable range. In practice homes brought within 2km range of a secondary school comprise a small portion of Lea Valley estate, Lower Luton Road homes from Lea valley estate to just short of Wheathampstead village and some hamlets and isolated houses in Marshalls Heath – no significant concentrations of housing are brought into sustainable range by this choice of site. It is estimated that the additional number of dwelling captured within sustainable range will account for less than one Form of Entry per annum at the school (compared to existing), while



other site choices would offer over 50% (of 6 Forms of Entry) within the sustainable isochrones boundary.

It is therefore our view that the Transport Assessment is wholly inappropriate as it starts from a base assumption, provided by Herts County Council, that both fails to reflect long term (due to being assessed from incorrect perspective) and fails to account for material changes that have occurred since the methodology was postulated. As such if the information base is radically wrong the outcome of any assessment based on the source information is wholly unreliable and should be rejected. The transport assessment is critical to the success of the project and flawed information is such that the application should be refused until suitable assessment base(s) are provided.

Due to the failings in this area the LPA is obliged to refuse the application.

### **Topic 3: Site Search**

As indicated elsewhere the site search was initially undertaken under inappropriate conditions. As indicated in the Needs Assessment topic submission the applicant (in form of Herts County Council) had previously determined that greater granularity was required in forecasting, which in turn identified Needs. HCC did not undertake such granular assessment as it had effectively determined as necessary. The initial site selection process was undertaken with limited forecast input and artificially constrained to exclude areas of significant need. In practice no Needs Assessment was produced and provided in the evidence base of that report. The subsequent review of the site selection (referred to elsewhere in submissions) undertaken in 2014/15 was launched without a Needs Assessment and was produced in report form with a draft Needs assessment that was only issued at the conclusion of the report. Nonetheless that report removed one short-listed site (from the restricted choices) and replaced with another (Site G for Site D). The logic for this change was based on two assessment criteria where relative to site F (the subject site of this application) the removed site was stated to have greater Green Belt and Greater Landscape 'worth' than site F. At the time St Albans District Council had published an independent comprehensive review of Green Belt land as part of its emerging Local Plan work. The report (by SKM) identified no significant differences in Green Belt 'worth' between the two sites (if anything Site F was marginally more valuable as Common Lane provided a well defined boundary for urban development. Further work indicated no significant landscape considerations that would warrant different designation of the two sites (G and F). In practice however the work submitted with the 2015 reports (already referenced) included work by consultants Stomor under HCC/Vincent and Gorbing direction, that indicated Site G had substantially higher proportions of likely pupils from within sustainable travel distance criteria than any other site under consideration at that time (11 sites around Harpenden Town). It had the further advantage of being more accessible to any Western village pupils without having to traverse town centre or River Lea crossing (Station Road / Lower Luton Road). Similarly for any pupils in Southdown area of Harpenden affected by Sibling allocations, the site provided a more reasonable accessible walk to school (no main road crossings). The logic of the exclusion requires detailed examination

by officers in an independent manner to fulfill the proper consideration of alternatives as required by Very Special Circumstances considerations.

In the current application the applicants state that work was undertaken to refresh the site selection process. This would logically have been the first step in the process towards preparation of Planning Application. In practice the refresh process consisted of asking previous or new consultants if they considered any factors would change their previous (2015) recommendations. As a first comment this refresh request was not apparently requested until late in the application process – certainly not until after the applicant's agents had approached HCC Spatial Planning for Screening opinions on the chosen site. As a minimum this sequencing is farcical – there is no sign of any intent to pay any heed to potential recommendations i.e. it has all the appearances of a façade. In practice no heed was taken of the change of emphasis of the sustainable transport objectives – which would have led to reconsideration of better suited sites from this perspective. However one consultant – Lambert Smith Hampton – noted that there was a significant change in the price of the land of one of the three sites shortlisted – Site F was declared as bought for £1.7m, site D was a little more expensive as a possible purchase price while site A was given a price tag of £35m – effectively doubling the development cost (and lifting way above Pick Everard estimates of DfE/EFSA guide prices). In essence this change made site A undeliverable and as such a true refresh process would have removed this from the short list and brought in the next potential site – Site G which had been removed in the circumstances declared above. At the time of initial HCC decision to pursue 'site F' the Land Registry attributed a value of £1.9m to Site G i.e. between the value of Sites D and F subsequently declared, and therefore it would have been in same scale of financial attractiveness as the short listed sites. Additionally the site has less contours and topographical difficulties than site F and would therefore have been a viable candidate for evaluation as an alternative. However the applicant chose not to amend the short list and undertake an appropriate evaluation of a highly suitable alternative site

As such we consider the site evaluation flawed and the site refresh unfulfilled. As evaluation of suitable alternatives is a requirement for Very Special circumstances it is clear that the applicant has neither achieved nor attempted such alternative evaluations when evidence clearly identifies a significant failing in one of the short listed sites to be deliverable.

As this represents an unfulfilled condition the Planning authority should reject the application until suitable alternative site evaluation is undertaken.

#### **Topic 4: Statement of Community Involvement**

A substantial amount of information has eventually been published – while this appears to support RSRPO's expressed concerns, the timing of the release of information (which was brought to the Planning Authority's attention over 2 months prior to the supply of information) does not permit full evaluation. We therefore reserve the right to make further representations about this topic.

## **Topic 5: Noise assessment**

On review of this document we have noticed the following.

In document at page 5 there is reference that "The period associated with day or night, for the purposes of the standard, are considered to be 07.00 to 23.00 and 23.00 to 07.00 respectively"

It goes on to state a page 8 "In the morning on Monday 10<sup>th</sup> July 2017 construction work was taking place on site and therefore measurement data at MP3 after 7 a.m. has not been used in this assessment"

Further in the appendence at page v there is table showing data from MP3 daytime (weekdays only), in the table it shows data collected from 7<sup>th</sup> July 2017 and 10<sup>th</sup> July 2017. As was explained on page 8 the data from 10<sup>th</sup> July is invalid and is therefore not being used. This leaves only the data from 7<sup>th</sup> of July as valid data. The table states that sound data was only taken from 3pm till 11pm that day. As defined above on page a day is considered between 07.00 to 23.00. Given the application that applies for a school that is open from 8.30a.m. till 3.30pm there is only half an hour of data that has been obtained for what would be considered its normal opening hours.

On page 14 the document concluded that "....Measurements are considered suitable to set noise emission criteria from any plant associated with the new building. If noise emission criteria is adhered to, no adverse impact is anticipated". As a maximum there is only half a day's data from the 7<sup>th</sup> July, but more concerning the is only 30 minutes of data applying to when the school is expected to be operational.

Based on the above information this document is whole inappropriate for judging the noise impact, as it does not have a complete day of normal data and the data it does have mainly falls out side school hours and no weight should be put on the document. It would be impossible from the information that "no adverse impact is anticipated"

### **Summary**

At this stage it is our conclusion that there are significant omissions in the evidence presented by the applicants, and conflicts between documents and evidence as presented. These are of sufficient scale that the Council has no option but to refuse the application as it has been submitted.

We will continue our review as stated based on recently submitted evidence and assumptions for omitted evidence and submit our follow up representation as indicated above.



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Spatial Planning and Economy Unit  
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Hertfordshire. SG13 8DN

F.A.O. Mr. Chay Dempster

Your ref: PL\0866\17

9<sup>th</sup> January 2018

Dear Sir,

**Re: Proposed new 6FE school buildings and associated development at Land to the north of Lower Luton Road, Harpenden, Herts. ref: PL\0866\17.**

**This letter includes additions to our original interim document, submitted in November 2017 and should be read alongside that and any/all other associated documents submitted by RSRP.**

We are writing in connection with the above planning application to strongly object to the proposals.

We are a residents group, representing well over 1,000 local residents, with high concentrations in East and North Harpenden, Wheathampstead, Kimpton and villages to North East of Harpenden. Further details have been provided elsewhere.

We note that the Planning Application included a substantial number of documents, which on review revealed a significant number of errors and omissions. We have previously drawn your Council's attention to a number of these as our reviewers discovered them and asked for such matters to be corrected. For those errors and omissions where we believe review and analysis was compromised we have identified a need for mitigation on response times to

allow proper consideration of matters. Details of identified errors and omissions are included in Appendix 2.

*It is further noted that significant new material was added in December 2017. The revised consultation end date of 9<sup>th</sup> January does not allow anyone sufficient time to review additions, especially given that half the extension was over the traditional Christmas shut down period from Friday 22<sup>nd</sup> December to Tuesday 2<sup>nd</sup> January. We strongly object to this rushed and ill-considered approach. It would also appear that essential documents are still missing from the planning portal.*

Given the lack of time afforded, as mentioned above, it is our intention to continue our analysis of the material and to make a further submission or submissions when we have properly reviewed the recently added material, both individually and in the context of the application. Some significant evidence still appears to be missing. This means we are left with no option but to apply a high level of assumption to our review, and that will be noted on our comments.

Our additional objections are as follows:

#### **Entertainment and Management of the Application**

- **Section 65(5) of the Town & Country Planning Act 1990 (TCPA)**

The timescale for additional comments relating to December-added materials is unreasonable, given the volume of additions, the time of year (with some 50% the response time during Christmas and New Year holidays), and the fact that this is arguably a major development.

The subsequent errors and omissions highlighted elsewhere and in Appendix 2 constitute sufficiently significant omissions to warrant practical assessment by any member of the interested public impossible. We submit that the application should have ceased until such omissions were corrected and a full period for determination re-instituted.

For the above reasons we urge the Council to shut down and only re-start the application if all procedural and otherwise conflicting issues have been properly resolved.

#### **Impartiality of Hertfordshire County Council**

Herts County Council, in response to various requests have failed to adequately demonstrate impartiality and independence between various Council departments, groups, contractors or other associates. This includes apparent confidential or project information made available to certain interest group(s) but not to RSRP.

The nature of the application management style adopted, including the failure to discontinue the consideration of the application by requiring its withdrawal, or by extending the consultation period to provide appropriate consultation time,

creates an impression that the deadline for completion of the application process is of far greater importance than the quality of the application, abidance by HCC of its own policies and compliance with planning laws.

Given the relationship between HCC as both co-applicant and as planning authority hearing the planning application, we suggest that there should be an even greater responsibility for HCC be seen to be impartial. We do not believe this has been achieved. The impression held by many of our members, given their exposure to years of refusal by HCC to discuss this matter is that the outcome of the process has been predetermined, and this impression has not been dispelled by the management of the application process.

Numerous procedural and administrative errors within this planning application, and the fact that County do not seem willing to correct those errors is a clear illustration of both lack of impartiality and intent to proceed without due attention to material considerations. The most recent example of this being documents added to the portal in December 2017.

For the above reasons we urge the Council to reject the application.

### **Impartiality of St Albans District Council**

St Albans District Council submission appears to have failed to forward objections received in the period leading up to the report submitted to HCC. SADC also failed to accurately describe RSRP and failed to list a large number of individual objections. In also inaccurately describing HPG it appeared to give undue weight to that description and submissions from that group. It also appeared to take into account confidential information that HPG arguably does not hold or have access to, yet claims as part of its evidence.

SADC report appears to have omitted a number of objections issues included in the initial report submitted to the planning referral committee of 27<sup>th</sup> November.

SADC reporting is misleading in that they appear to claim that they assessed HCC information in potentially allocating the location as a possible site in their earlier/discarded DLP proposal. This is misleading in that they have no evidence that they received or assessed accurate information from HCC. The potential allocation is therefore seriously flawed.

The potential allocation of this site is a pepper-pot allocation - a form of development officially rejected by SADC according to the current planning portfolio holder, as presented in Harpenden earlier in 2017. Pepper-pot developments involve placing a development somewhere without any evidence that they relate to a local area need. They are not in tune with existing infrastructure and therefore cause harm by the additional stress they place on a local environment. They are considered dangerous precedents by SADC according to the Portfolio Holder and should be rejected. The preferred infrastructure development would be additional school places to match areas that are not well served at the moment, for example, Wheathampstead and

Southdown/Cross Farm, where that population growth and housing development was not supported with matching infrastructure. According to SADC preferences, a school development in Batford should be refused because it does not resolve a local need but brings a surplus into an area at the same time as creating a severe transport infrastructure.

For the above reasons we urge the Council to reject the application.

### **Impartiality of Harpenden Town Council**

Harpenden Town Council appears to have failed to forward objections received in the period leading up to the report submitted to HCC. HTC also failed to demonstrate a decision based on material planning concerns, giving undue weight to inaccurate emotional content apparently provided by HPG to the council. Evidence for this is in the records of HTC's council meeting of 27<sup>th</sup> November.

While at the outset, the members appeared to state that they would only consider material planning considerations, almost all responses demonstrated that there had been no assessment of need, traffic, archeology, environmental, Impact or other considerations. The council also failed to identify items missing from planning documentation. The Council also apparently failed to consider the very large number of objections delivered to the council in various forms and there is, according to the HCC web site, no record of those objections or related correspondence being passed to Herts County Council.

There was no evidence of realistic and considered discussion of the actual harm inherent in this planning application, indeed the potential harm was mocked as were the opinions of residents throughout Harpenden and the villages who understand that the school proposal is in the wrong place.

At one point, evidence of an apparent largescale housing development that does not exist and has not featured in SLP or planning applications work was apparently used as a reason why the school should go ahead. Developments that do not exist or are not in planning are not material to an existing planning application. In addition, this mention implies that HCC have come to some agreement with a developer in a way that is not in the public domain. This in itself is questionable on many levels.

If imagined or un-documented developments are now material to planning, then HCC must by preference take the more certain Hemel/ Redbourn Crown Estate proposals that include secondary school place provision and would negate the need for a new school in the Harpenden planning area at all.

One HTC argument was that there should be school places for anyone who wanted to move to Harpenden. This in itself is a) unsustainable and b) not a planning consideration c) demonstrated that the Council had not scrutinised school place need information from HCC. If they had scrutinised that need, they would understand that it is not in HCC remit to a) deliver limitless migration to

Harpenden or b) guarantee limitless school places. In addition, had HTC scrutinised need data, they would understand that a) there is now a growing surplus of primary places in Harpenden that will lead on to a surplus of secondary places b) further significant housing development to the North of Harpenden that may occur as a result of a revised SLP is over a large number of years and would not yield enough secondary pupils to warrant a school (Harpenden and area is not scheduled to grow by the 1/3 needed to warrant a new school) c) housing in the north of Harpenden will just accentuate the school place problems that exist today where pupils in the villages and South Harpenden are always disadvantaged by their geographic location.

If Harpenden Town Council had considered material planning information properly, they would have recommended refusal. In one other example, a member of HTC stated that there was no traffic problem on the Lower Luton Road. If they had read the various traffic reports, or even visited East Harpenden during the morning, evening or during the day, they would see that the road really is dangerous and seriously over-capacity, as stated in various formal traffic reports.

It is unknown whether HTC has even considered or assessed more recently added planning documentation.

For the above reasons we urge the Council to reject the application.

#### **National Planning Policy Framework and Very Special Circumstances**

No additional comment within this document.

For the above reasons we urge the Council to reject the application.

#### **Green Belt**

- **National Planning Policy Framework and SADC Strategic Local Plan Policy 1 Metropolitan Green Belt and all other relevant planning policies.**

No additional comment within this document.

For the above reasons we urge the Council to reject the application.

- **Site selection process**

Our additional concerns in this matter include:

- The area of search of the original study by V&G removed viable and alternative sites.
- There are other sites which have not been considered...



The recent addition of Needs information (10 November 2017) is being reviewed in this context, however in absence of time to assess, if the Council is minded to progress there is insufficient information to enable acceptance of alignment of local need and for the above reasons we urge the Council to reject the application.

Many Harpenden residents and councillors have previously confirmed that the area of need in Harpenden is in the South (Southdown) and a major area of need is Wheathampstead. They have also publicly stated in meetings and in correspondence that they would like the school to be in the south, where there arguably is a need. A very large proportion of the population would also like to see the school in the South *where it would take traffic off the roads*. Cllr David Williams (now HCC Leader) has on more than one public occasion expressed his preference that a new school be located in the south, not north of the town. For example, Harpenden Society meeting 26th February 2016: 'I would love a site in the south as that's where the children are'. He added that such a site would not be in his Ward.

The preference for a South Harpenden, Wheathampstead or Redbourn site for the proposed new secondary school to cater for the wide area Harpenden Secondary Planning Area is highly visible in parent discussions on social network sites, including Harpenden Parents Group and their associated discussion group Support a New Secondary School. HCC lists area of need amongst their criteria for establishing a new school while others quote the need for planning permission and yet more identify timescales. Many still question why HCC continue to ignore County-owned sites in Wheathampstead and the South of Harpenden. Not to mention the underused secondary school in Redbourn where arguably there are no green belt, planning or timescale issues at all.

A 4th monolithic school in this location leaves many village residents with their nearest school still not being in the Harpenden Secondary Planning area, which means they will remain at risk of not getting a preferred place in the area. The plot below highlights that the better place for pupils, traffic, geography, cost, easy of build and other reasons remains South Harpenden of the disused school fields in Wheathampstead.



For the above reasons we urge the Council to reject the application.

## **Landscape and Visual Impact**

- **SADC Strategic Local Plan Policy 104 Landscape conservation and all other relevant planning policies.**

Additional information includes:

Document Landscape Comments additional info KW, recently added to the planning portal, states:

- Landscape comments have previously been submitted in a report dated 10<sup>th</sup> November 2017.
- The submitted additional information does not address the landscape issues raised within the previous report, they therefore remain outstanding.

A quick review of other documentation cannot locate the 10<sup>th</sup> November document mentioned, confirming that planning portal documentation is not complete. In addition, it confirms that the planning application does not address landscape concerns.

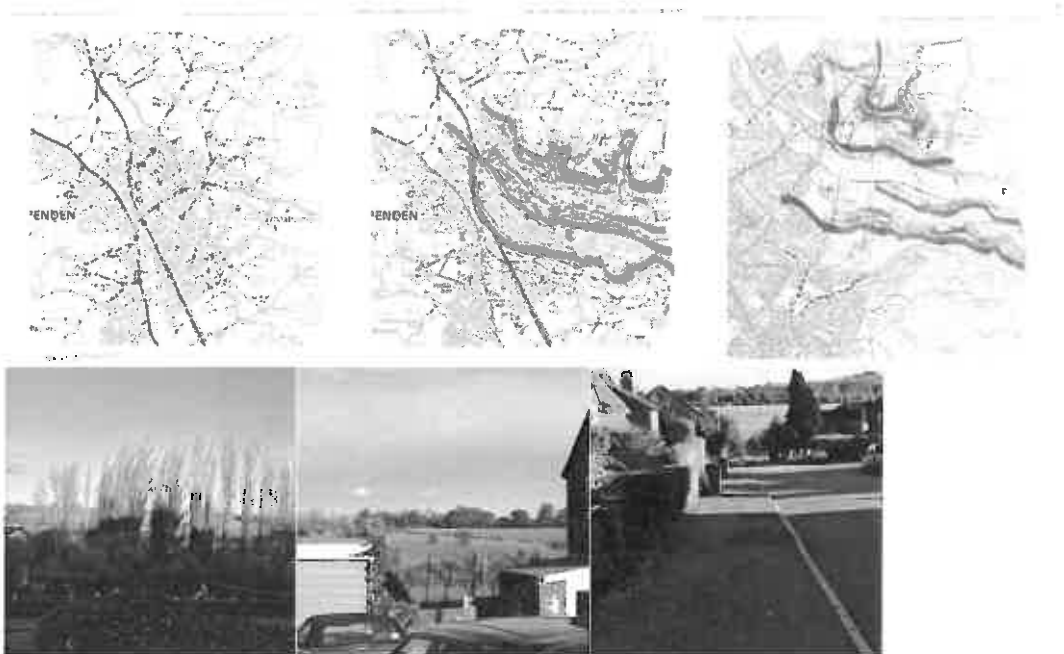
The LVIA omits a consistent narrative about the visual impact from the wide area of Harpenden that the site is visible from: Significant views include from Aldwickbury, Manland/Sir John Lawes, Station Road, Crabtree Lane, Milford Hill, Sauncey Wood School. A rough check on maps that include roads and contour lines confirm that from all of these locations not only will the potentially floodlit playing fields be widely visible across the town, but the school buildings will also be widely visible from several common locations and roads. The hand-coloured sample maps attached illustrate this.





These confirm both a flawed LVIA/Environmental assessment but also confirm impaired amenity and more across a wide area of Harpenden and Batford. In addition, they completely negate one of the apparent selection criteria (that this is an enclosed site that cannot be readily seen). Photographs clearly show wide-ranging site visibility, and in some instances, the in-progress trenching that was carried out also confirms that visibility.

Unfortunately, the planning application does not contain consistent and contiguous contour/relief maps that show site contours in the context of the wider landscape. RSRP has therefore had to obtain maps from other sources. The images below are rough indicators only, but do also confirm a lack of rigour and accurate information in original assessments,



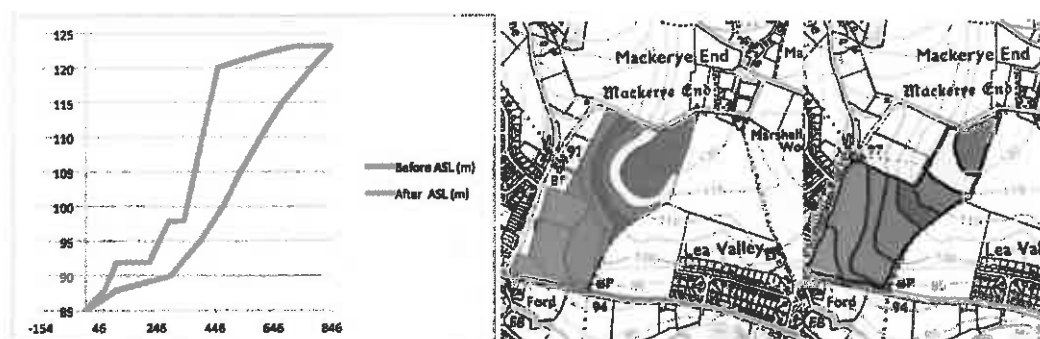


For the above reasons the LVIA falls short in assessing the visual impact of the proposed development and we urge the Council to reject the application.

### **Landscape conservation**

In particular, the landscape remodeling proposed in the planning application will severely disrupt the landscape characteristics with the construction of relatively steeply sided plateaux. Again, this is in contradiction to local landscape policies.

Planning documentation has yet to provide accurate contour/related data that is contiguous on/off the proposed site.



For the above reasons we urge the Council to reject the application.

- **SADC Strategic Local Plan Policy 102 Loss of agricultural land and all other relevant planning policies.**

The policy states development of such land will “...normally be refused. An exception to the policy may be made if there is an overriding need for the development and there is no alternative land of a lower quality which could be reasonably used.”

For the above reasons we urge the Council to reject the application.

- **SADC Strategic Local Plan Policy 106 Nature Conservation, Policy 84 Flooding and river catchment management and all other relevant planning policies**

The Policy 106 states the Council "...will refuse proposals which could adversely affect: (Part (v)) ...the natural regime of either surface or ground water in river valleys and their wetlands"

In addition, water voles and other wildlife in the vicinity of the ancient ford would be seriously impacted by additional traffic.

Each year, the river and ford form part of the local area flood defense, flooding over the banks and yet safely dissipating. This is in addition to the usual flood prevention inherent in the arable landscape itself. Additional flash water arrivals from ducted water management up on the hillside will risk damaging the river and its natural function, make this flood worse and effectively remove natural mitigation potential.

The whole river floods over into the shallow flood plain, but again, if there is ducted water arriving at the ford this will provide a major alteration to the natural flow of this river and the ability of the land and banks to naturally manage flood risk.



For the above reasons we urge the council to reject this application.

- **SADC Strategic Local Plan Policy 34 Highways considerations in development control and all other relevant planning policies.**

Additional concerns in this area include:

The traffic assessments also appear to ignore earlier analysis that concluded the road situation would likely not lead to a successful planning application. Again, the lack of accurate traffic data and planning appears to highlight the initial flawed site selection process.

A recent serious accident (head on collision, cars on fire, potential illegal overtaking, police redirecting traffic along single track lanes that lead to further tailbacks and knock-on accidents) that caused road closures and delays for up to half a day highlight the complete inappropriateness of this proposed location.



It is understood that local traffic police also object to the development, on the basis of road safety and location.

A trial walk was carried out and this article (illustrating the dangers) was written as a result.

# A New Local School Too dangerous to call?

Hertfordshire County Council has submitted a planning application to build a 1200 pupil school on the green belt site at the junction of Common Lane and the Lower Luton Road. MumMagazine's met up with local parent Charlotte Vickerstaff who explained her concerns about the position of the new school. Everyone of a certain age remembers that Wheathampstead used to have its own secondary school. It was up on the top of the hill tucked into the housing estate on Butterfield Road. Since it closed twenty years ago children from Wheathampstead and Hemphel's surrounding villages have struggled for a local school place in the three excellent and over-subscribed schools. Roundwood, St Georges and St John Lawes. Rural life is great, particularly in Wheathampstead with its speed links into



London - the best of both worlds. But the anxiety about where one's child will go to school is a very real negative for the young families who have moved into the area. So, it is understandable that local people are eager to see a new school built that will remove the uncertainty and the scramble for school places. Hertfordshire County Council believe the planned new Katherine Watlington School will fulfil the government's sustainability requirement - that of the school being in a location that allows the maximum number of children to get to school under their own steam, whether by bike or on foot. Charlotte told us that if they go to bike the council assumes that the longest journey a child can make is 5 km, whilst on foot this is 2 km. The older generation would probably find this funny - many of them used to hike miles to get to school! But then they probably weren't trying to walk next to a road like the Lower Luton Road, packed end to end with cars, lorries and buses. At peak hours the road is at capacity. It seems that Wheathampstead, where most of the children are going to come from, lies just outside of the assumed 2km limit. But the town is too near to be eligible for free bus transport. So parents are left to

(Continued on Page 14)

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and their child off on their bikes into the danger of navigating through the traffic or walking across the tarmac. To highlight these issues, Charlotte and a group of concerned locals, comprising residents of Wheathampstead, Blackmore End, Wheathampstead, Lower Luton Road and Baldred, took to the roads on 14th November to look more closely at the children's proposed daily commute from Wheathampstead to Baldred. It was slow, taking about 50 minutes on foot from Baldred at Lower Lane to get to the school. Along the way there were some concerns where the pavement narrowed to such an extent that it was possible to touch the tarmac. It was very easy to step off the pavement onto the road too, which could have terrible consequences. So what will any sensible parent do? Will they take their child to school by car of course. However, they will face a long journey - the traffic is horrendous. The measures proposed by the council, which cost anywhere up to £25 million,





do not and cannot address the congestion. The road is constrained by its topography, with the flooding-prone River Lea on one side, and houses built very close to the road cresting pitch perfect. According to some, building a school on this road does not make sense. Please send in your comments to Herts County Council: [spatialplanning@hertfordshire.gov.uk](mailto:spatialplanning@hertfordshire.gov.uk) or [spatialplanning@hertfordshire.gov.uk](mailto:spatialplanning@hertfordshire.gov.uk). Details of Planning application HCC reference: PL1086117.

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For the above reasons we urge the council to refuse the application.

- **Archaeology (emerging evidence – to be reviewed)**



**NPPF: Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.**

Emerging evidence as to the nature and conservation issues relating to remains of this type and age indicate that full removal/assessment is the only option. This emerging evidence also points to a lack of rigour in assessing the site in relation to its long arable farmed history, the relative mil placements and likely importance of the river and crossing in a historical setting. Again, this implies that part of the initial site suitability assessment was fundamentally flawed in that it failed to take known historical context into account.

Any recommendation to bury only is flawed in that actual locations of remains and artifacts is essentially unknown and the disturbance from building constructions or other extreme terraforming indicates a high risk to the historical setting and chances of study.

Formal objections from various sources confirm that the planning application does not contain sufficient safeguards and that the applicant has declined to pay attention to conservation recommendations.

An eminent archeologist has recently written a summary of the finds value and the importance of very careful evaluation and preservation. There appears to be no attempt at a careful considered response to the identified and potentially unidentified finds. The applicants disdain for potential important findings has been evident from the desk-based archeology through disregarding/disparaging 3rd party assessments and their statements about negative reports having been written before formal assessments were carried out.





For the above reasons we urge the Council to reject the application.

- **Overlooking, loss of privacy, visual amenity, noise, disturbance and other matters**

Additional comments in this area include:

Traffic and transport planning with road changes towards and over the historic ford would represent a significant loss of amenity. The local ford appears in historic paintings and is a footway widely used by the local community. Although it technically is a ford, it is rarely used as such. The ford is more significantly used as a local amenity spot to bird watching, and as a quiet safe beach for local families. Additional traffic or changes at the ford would therefore remove this essential amenity for many families in the area. Again, this lack of local awareness implies a lack of rigour in the flawed site selection, process. It also floods to over bridge height each year, fulfilling its safety feature for flood mitigation.



The ford is the gateway to preserved pastures and amenity space, where images in the planning document also fails to accurately record the local area. Any attempt to destroy this amenity beach and historic for/tranquil bird watching environment, where rare water voles are already noted is clearly against heritage, environment and amenity planning guidelines.

Environmental analysis seems to be missing from planning application documents, and therefore this section also aims to highlight some valid material planning issues relating to the environment. A rare chalk stream feeds into the river here as well.

Car and bicycle parking within the proposed school are completely inadequate for the proposed size and scale and do not match government guidelines. The car parking allocation is about half that required for the school/staff and potential 6<sup>th</sup> formers. Bicycle parking is completely inadequate for the proposed number of cycling students.

For the above reasons we urge the council to refuse the application.

### **Summary**

At this stage it is our conclusion that there are significant omissions in the evidence presented by the applicants, and conflicts between documents and evidence as presented. These are of sufficient scale that the Council has no option but to refuse the application as it has been submitted.

We will continue our review as stated based on recently submitted evidence and assumptions for omitted evidence and submit our follow up representation as indicated above.

Submitted by Hillary Taylor, for and behalf of David Cairns, Chairman Right School Right Place, on behalf of members of our organization.



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F.A.O. Mr. Chay Dempster

Your ref: PL\0866\17

24 January 2018

Dear Sir,

**Re: Proposed new 6FE school buildings and associated development at Land to the north of Lower Luton Road, Harpenden, Herts. ref: PL\0866\17.**

Further to our letter of 16 November 2017 and subsequent additional representations in December 2017 and January 2018, we wrote to you identifying:

- 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.

We had identified further material that we were continuing to assess and about which we feel obliged to make significant assumptions due to lack of published information. We are adding to that series of representations with this representation. We would however draw your attention to the outstanding matters which have been advised some time ago and which remain unanswered. In particular we draw your attention to the lack of basis of assessment provided for the LViA material, a point which we understand we are not alone in raising with you and about which no material has been provided or questions answered. We therefore submit that this aspect of the planning application is completely compromised and on that aspect alone as an LPA you should be requesting that the applicant withdraws the application, failing which you should be refusing the application on grounds of incompleteness should the applicant continue with the process.

We have included selected references to our initial notification to the Planning Authority by way of extracts from our original notification letters from October/November 2017. These are included at Appendix 1.

#### **Topic 4: Statement of Community Involvement**

A substantial amount of information has eventually been published – while this appears to support RSRP's previously expressed concerns, the timing of the release of information (which was brought to the Planning Authority's attention over 2 months prior to the supply of information) does not permit full evaluation. We have therefore undertaken some rudimentary analysis of the material added and on this limited basis drawn up our further representation.

- SCI (Statement of Community Involvement) Appendix 1 provides a copy of the leaflet produced to notify the process by which the school's promoters, including the applicant, sought to engage public. As this leaflet comprised the sole means of notification to many households it should be viewed in isolation. The leaflet comprises a single two sided A5 sheet. One side has 3 maps showing 4 venues for exhibitions, the other has a list of the venues and dates/times of what is billed as a public exhibition. It states that the subject matter of the exhibition is emerging planning application proposals for the Katherine Warrington School. It fails to identify the site to which the plans refer. Furthermore the school had only announced that it had adopted the name Katherine Warrington School the previous month and at the time of publication the name was relatively unknown to the general public. Viewing this as a stand-alone leaflet, particularly if not having any internet access or awareness of the recent naming there is nothing to indicate this would be a relevant topic for many people. We therefore conclude the notification excluded many people who would have had a legitimate interest. As such the SCI cannot be deemed to be representative – a point compounded when also considering that awareness of the school progress and naming was greatest with one group – Primary School parents – as the naming competition, and its results, was undertaken

through local Primary schools, giving a much higher awareness to a particular interest group.

- SCI Appendix 4 provides a screenshot of KWS website just prior to the exhibitions. As noted above there was a general lack of awareness of the school at this time and for reasons noted above it is understood that many potential interested parties would not have had the means or the inclination to reference the website. It is noted that the website contains the first use of the word 'consultation', both in the text and, ironically, in the title of the exhibition leaflet which failed to use the word 'consultation' at any point. Without any reference in the delivered leaflet to 'consultation' other, less accessed media, including webpage, should be disregarded as tangible evidence of notification a formal consultation process.
- SCI Appendices 3 and 5 comprise a stakeholder e-mail and stakeholder list. It is noted that the list of stakeholders is far from inclusive. The list comprised over 80 Councillors plus one Council Officer – the Chief Executive of St Albans City and District Council – whose departure to take up an unrelated new position at the time of the exhibitions had been announced some time before. It is noted that the nine HCC Councillor invitees consisted of the entire Cabinet plus Chairman of the Council, which coincidentally included 4 of 5 Members for County Wards within the school's likely catchment, but no invitation was issued to Member for Harpenden Rural (formerly St Albans Rural) whose electors are likely to form a majority of school users. The entire member list for St Albans City and District Council was invited, as was the entire Harpenden Town Council. The Council Member stakeholder invitations however excluded any invitees from North Hertfordshire District Council, Dacorum Borough Council, Wheathampstead Parish Council, Redbourn Parish Council, Kimpton Parish Council, Harpenden Rural Parish Council and other local Councils covering Markyate, Flamstead, Whitwell and villages in the Waldens. All these areas are ones which HCC and the school have identified as pupil sources for the new school, and in the case of Wheathampstead, Kimpton, North Herts District and the Parish Councils in the Waldens, the school will be the highest prioritized school for new entrants resident in parts or all of the Council's areas. In the case of Wheathampstead, with in excess of 100 pupils per year consistently entering the Primary education cycle it is very likely that the subsequent occupancy of secondary will be in excess of half of the school's population. No other body, be that Parental representative Group, established Community Group in the locality, known interest group with defined concerns was considered to be a stakeholder. In the latter categories it could have been expected that Harpenden Parents Group, Batford Community Action Group, Batford Springs Volunteers, Harpenden and Wheathampstead History Societies (known Archaeological interests), Harpenden Green Belt Association, CPRE all had known interests as could our own Group which has been identified to the Trust from the early stages of the proposal. The only conclusion that can be drawn is that far from Community involvement of a wide nature the promoters of this scheme have sought the opposite – exclusion of interests and a total unwillingness to involve substantial sections of the Community. The invite itself to "stakeholders" appears however to consist of the

standard web message (see above) plus an added benefit of a one hour preview of the exhibitions – this appears no more than a cynical attempt to seek support from Councillors at future reviews – such as this consultation – and appears to have removed any opportunity for constructive critique from many of those likely to be affected or representing those affected.

- It should be noted that the Appendix numbering within the text of the report does not correspond to the Appendix listing – this includes SCI Appendix 5 which is referred to as Appendix 7 in text (4.6) while the text (4.10, 4.11) identify an Appendix 5 as the Exhibition Boards – in practice these appear to be Appendix 7. Similarly the responses to questionnaires are declared as Appendix 9 – no such Appendix is included, it would appear to be Appendix 8. A number of other appendices are not referenced at all in the text, suggesting, particularly in the light of the non-provision of these Appendices until over a month after the expiry of the original consultation period, that these were not submitted with the report in the original application and indeed may not even have existed in a coherent form at the time of submission.
- SCI Appendix 2 provided a map of distribution area for the leaflets (see above). RSRP has mapped approximate school entry catchment areas onto a copy of this map and included this as Appendix 2 of the submission. The areas defined reflect the school allocation system and how it is likely to relate to the groups approached as potential community consultees. Within the standard HCC allocation process there are priority areas which group schools together in a territory, and within the priority area one community school is designated as nearest school on basis of distance of home to community schools in the priority area. In the Appendix High Catchment Priority has been assigned to those areas for the proposed school would be the nearest in the Priority area and Low Catchment Priority has been assigned to other areas within the priority area from which HCC has identified pupils are likely to be sourced – in practice HCC's Priority Area includes two EPAs (Education Planning Areas) and it could be argued that pupils from any St Albans location could be included, however the case for the school has been made on the basis of the northern EPA and this is defined in the application as omitting St Albans City area. Each of the two areas is then split into areas that were included in the leafleting and areas that were not. What is apparent is that large geographic tranches of High Catchment Priority were excluded from the leafleting – to the extent that the published map did not extend to some areas that would expect this to be their most likely school for entry, creating a group of more affected people who did not get the opportunity to comment (and the same territory includes many residents for whom the school would represent a traffic obstacle in any route to Harpenden irrespective of pupil interest). Conversely a substantial part of the leafleted territory included parts of Harpenden and Redbourn where arguably the establishment of this school will lead to greater access to the existing Harpenden Secondary Schools – an objective that has been previously stated by some parent representatives from these areas. As noted in other representations the applicants have identified an expectation of pupils from North West of Harpenden – it is therefore strange that they chose not

to include further substantial geographies where these school users live (blue area on map again extending beyond the map provided). The imbalance of selection of recipients for canvassing for community involvement to the apparent inclusion of groups who would have potential non-planning interest in seeing the school established over those who would be more directly affected is sufficient to destroy any ability to declare a balance in the outcome. It is of particular interest that parts of Wheathampstead Parish were excluded, despite the site being partly within the parish boundary.

- The feedback form, in SCI appendix 6, fails to ask a simple overall question of whether respondents are in favour of or against the school. Instead two linked response questions are given – these oblige the respondent to declare themselves in favour if they see any aspect that they like, while any concern appears to be inextricable linked to opposition, or, depending on interpretation, the response allows the survey team to decide based on response whether a concern is or is not opposition. As noted from a scan of a sample of responses received there is a significant contingent of respondents who have grave concerns about the appropriateness of site choice while recognizing there is some need for additional capacity in secondary education. In practice this is akin to the view that has been consistently held by RSRP since its inception in September 2013 – when it was identified that while estimates of the scale of need varied significantly the common factor was that consistently 60% of demand was within the Town and that this is less than the capacity of the three existing schools by a significant margin. Given this view has been expressed to the groups promoting the school the construction of a community involvement questionnaire that did seek to extract a distinct view on the appropriateness of the site separate to the more emotive support or don't support postulations. It is further noted that having clearly identified that the planning application needs to consider Very Special Circumstances due to its nature there is no question relating to whether this aspect of the planning application is sufficiently covered. The matters are not unrelated as alternatives, and by inference site options would need to be addressed and neither material presented nor questions posed address this aspect. It did subsequently transpire from the material submitted with the application that although work in relation to the site proposed had been undertaken, work relating to refreshing the site search and selection had not been reported on at the time of the exhibitions – in essence an incomplete basis on which to stage the exhibitions.
- In previous comments prior to publication of SCI Appendices RSRP noted anomalies in the presentation of the material in the main report. In particular scaling of graphs gave the impression of greater weight to some characteristics relative to others. In practice not only is one issue dominant – to the extent that more than 50% of respondents (of which there were a substantial number for such a survey) cited the concern. The concern being Traffic and Congestion and further being that specific item flagged under the conditions of question 2. At about half as many again as thought design was good it is supportive of RSRP's initial response that a presentation that gives an apparent greater visual impact to this



characteristic is highly misleading. When further considering that Transport and Access and wrong site also appear in same list with considerable numbers it is questionable whether the location choice and failure to project need in terms of travel (and associated congestion) mean that in essence the root cause in practice a greater level of criticism than the figures suggest. This is further reinforced by the same group of comments appearing under responses to question 3 (80-100 responses in 3 related areas) and again under additional comments section. While it is possible that there will be some duplication through repetition it very likely that persons commenting under q1 and then adding concerns / areas of improvement under q3 or further comments are in effect adding to the material consideration of transport/traffic/site choice (relative to need) issue and that far from a simple majority of respondents being concerned about this aspect, the reality of the response is that a substantial majority consider this aspect to be a failing in the plans being put forward. It is further thought that measures that have been suggested are geared towards reducing risk by bringing traffic to a standstill (and therefore managing down) impact of any accident, rather than addressing the issues of balancing considerations of safety and local amenity – the latter is effectively being sacrificed and being to a greater degree by the suggested measures which fail to address the underlying cause. In this respect the comments drawn out at the exhibitions are not explored sufficiently in the analysis presented and this can only be considered a failing of the Community Involvement exercise.

- We return to a comment made without the benefit of the Appendices. In an earlier representation RSRP noted that the display boards and comments made by exhibitors suggested that many aspects of the plans were insufficiently developed for meaningful discussion at the exhibitions. Specifically this is refreshed by the opportunity to re-read the comments typified by board 01 (SC Appendix 6) where the final paragraph identifies “There will be a considerable amount of additional work..” and specific items like board 03 which identified that a transport assessment had NOT been undertaken, it is clear that the exhibitions were premature in that they insufficient developed information to make an all-round judgement. This point was made as part of the feedback process but is not mentioned in the SCI report, arguably not surprising as admitting to the direct consequence of what had been declared on the boards and amplified by discussion would essentially have led to one conclusion – a more complete basis was required for a meaningful input to the planning process. The applicant has clearly decided that is not something they wish to do. The reason for doing remains as valid as when first stated – if there are insufficiently developed plans then it is impossible to make valid comments and the material submitted under SCI should be treated as insufficient for purpose.
- There is a further telling point. Since the exhibitions the Trust has held a separate consultation, as required by the Academies Act. This has more often than not been held prior to a planning exhibition but the general approach has been to identify plans in the embryonic stage during the Academies Act consultation and take preliminary feedback then. In

practice this is how the Katherine Warrington School had initially advertised the sequence, and how the sister project that HCC launched for Croxley Green was conducted, but close to exhibition time this sequence was switched. However the Academies Act consultation was launched in early September 2017 with a single planned open evening (in Central Harpenden) on 18 September 2017. Although it subsequently transpired that much of the planning material was ready and indeed had been submitted before this consultation evening, none of the material was made available save approximately half the display boards (with alternatives relating to the school's educational policies replacing the other boards). In particular it was noted that section 6 of the SCI is entitled "Responding To Feedback" and subtitled ESFA (in applicant role) feedback to points raised. At face value this section should consider points raised and playback answers but appears to miss the logical step of reporting back to those making the point – in the absence of any further planning exhibitions the only place that this element has come close to the people who raised the points is by submission to the planning application, which is not published locally and requires both internet access and an awareness of existence to obtain feedback to any point raised – for those that choose to so there is the challenge of identifying whether the feedback is within the pack of (literally) hundreds of documents and then if dissatisfied with outcome (by omission or by unsatisfactory response) the sole route for those who wish to persevere is a formal representation to the planning process – with the likelihood that points raised are unlikely to go to the applicant for the most part. This approach is all the more frustrating when it is clear that if any document could have been made public in the Academies Act Consultation it was this one – in practice the Trust running that event had either agreed to with-holding or prevented from releasing the information, or, worse, were unaware of its existence. Given the response to questions on the night (18 September) which were to the effect that the Trust were aware that a Planning Application was in the process of being submitted (subsequently transpiring that it had been submitted but was in validation) it would appear a very deliberate strategy to withhold, be it on the instruction of applicant or initiative of the Trust. Such an approach is fundamentally opposed to the objectives of Community involvement and has fostered an atmosphere of distrust of both applicant and process.

- Returning to the SCI itself in the opening summary at section 1.6 it is stated that the EFSA has pursued 'individual meetings with residents and stakeholders' (in addition to the exhibition). As RSRP representing a substantial number of people with substantial concerns we are not aware of a single meeting that qualifies under this statement. As noted above the careful selection of "stakeholders" is exclusive to the point of being ridiculous – and again if the choice of stakeholder includes (and is potentially restricted to) Council Members whose role requires their involvement then this does not fulfil the objectives of Community involvement as outlined 3.1 and 3.2. Again as an organization we are unaware of any point taken to EFSA by any elected representative on behalf of a resident and similarly we have no report of any feedback. In essence the complete absence of evidence suggests to us that the claim of

involvement and the parallel claims in 7.1, 7.4 and 7.5 of understanding community issues is totally unfounded.

- Reviewing the 'responses' in section 6 it is noted that there is a claim that the maximum number of parking spaces has been allowed citing St Albans City and District Council policy but failing to identify which policy. In practice there is considerable doubt over this specific claim and the scale of difference highlighted elsewhere in representations where Croxley Danes (being submitted in parallel to Three Rivers District Council) has approx. twice the on-site parking provision for an identical school. Additionally St Albans has expressed concern over lack of parking / drop off facility and the consequent impact on the local community amenity and this has been echoed in representations from Harpenden Town Council and Wheathampstead Parish Council. All of these are wholly incompatible with a statement that a maximum form the general LPA for the area has been reached as all three Councils are likely to have great awareness of such policies. The ESFA should therefore substantiate this claim with references and if unable to do so then the claim should be ignored and the making of the claim be taken as an indication of an aggressive attitude by the applicant to local community.

In summary RSRP's further review of Community Involvement has reinforced its initial view which is one of great skepticism of the applicants approach. Attention is drawn to similar scale project for outline permission in respect of a project in Bishops Stortford in 2014 – this is present in full under reference 3/2037-14 on HCC web portal and also is directly linked from New School Page in Schools Planning section of main HCC website. A copy of the Statement of Community Involvement prepared for this proposal is included as separate Appendix (Appendix 4) – the nature of the report and in particular the notification leaflet (appendix A with the report) and the response form (Appendix C within the report) are highlighted for comparison. They have clear identification of purpose site and how to respond.

For this project the SCI format is different. It appears to have been undertaken with an underlying aim of deflecting any valid critique by seeking first to minimise involvement of those with potential negative comments and then to seek divert with platitudes rather than seek solutions to address issues. There is a clear reluctance to review root cause issues and no understanding of what has led to the concerns in the first instance. Such an approach has been apparent with one of the co-applicants for a long period as HCC has deflected every aspect of this at each stage of its development from conception to current phase. It can only be concluded that there is no intent to engage and that the formal community involvement process was not expected to generate significant change. Many of the issues noted above are consistent with such an approach – most of all 3 months to provide information that should have been to hand when originally submitted. It is useful for the plan consideration that there is clear and significant concern over the real problem of transport and traffic related to the application – this aspect has yet to be correctly addressed as to date the applicant has not recognized the root cause of the problems and has not therefore considered a suitable remedy. On the basis of the material produced and the responses given the outcome must

be deemed unsatisfactory and the application refused until matters are fully addressed.

### **Topic 6: Residential Amenity**

The question of residential amenity and the impact of the proposal on the local community has been highlighted in many aspects, but crystalized by the Community Involvement approach and the remaining omission of LVIA information.

As noted in the commentary above the approach of the applicant is one of having no regard for impact on local residents of their proposed development. This is particularly apparent in proposed mitigation for any shortfall in parking capacity, where the 'solution' includes assisting to fund parking restrictions on surrounding roads – these generally incur costs for residents and are only implemented after periods of intense frustration with growing problems (a similar scheme has recently been commissioned for roads surrounding the nearby Batford Childrens' Centre following long term expansion and displacement of staff parking from within the site).

The intent is clear – minimum provision and allow residents to suffer before introducing any measures which will also impair resident amenity but which will seem preferable at the time.

Other areas that are noted for impact on residential amenity are:

- Traffic management measures – statements are made as to general measures that are intended to mitigate risk. These fail to address likely impact on local residential roads of which the following are likely to be significantly affected:
  - Castle Rise and Manor Road in Lea Valley estate – likely drop off point for traffic from east as parents seek to avoid being trapped in queue to / from approach from East. Avoidance route was sorely tested after recent morning car accident on Lower Luton Road.
  - Crabtree Lane from Dalkeith Road to Marquis Lane and tributary roads – drop point for pupils arriving from west of area including South Harpenden. Rat run likely with return leg on Marquis Lane to Station Road (and opposite route)
  - All roads in Batford estate on East side – likely to see traffic turn into Pickford Hill, South View Road, Batford Road (spur) and Common Lane. Drop off will be targeted as near as possible to school using Tallents Crescent, Milford Hill, Holcroft Road Roundfield Avenue as rat runs, and despite comments Batford Road & Salisbury Road.
  - Lower Luton Road spur (incorrectly identified as an extension of Crabtree lane North of river Lea (ford)
  - Lower Luton Road.

All of the above are likely to experience high volumes of traffic for the simple reasons of inadequate provision of drop-off capacity and human nature of significant numbers who will seek to drop away from an on-site

area even if a substantial area provided. Experience with other schools locally is that they are relatively powerless and only a small proportion of inconsiderate parents has significant impact on residential amenity (blocking resident access, congesting roads etc). No apparent account has been taken in the measures proposed to address residents' loss of amenity.

- Direction of traffic to Common Lane in first year – the solution to year 1 situation is geared to protection of school users by separation of construction activity from temporary school use. No plans have been provided for the management of 180 children and staff associated with the temporary year 1 operation – 18 parking places with a restrictive entry / exit and lack of ability to turn high volumes of cars through the car park leaves no real option other than the use of Common Lane – for which there is neither mitigation nor is there a plan to manage the situation into a longer term alternative plan. It is likely that first years will form a habit of drop off and simply continue and pass on that habit for subsequent years. This places undue loading on residents in the immediate area, including all users from lanes to north of Common lane, any Batford estate residents who use the exit to the east of the estate (via Milford Hill to Common Lane). Similarly loading at the Common lane / Lower Luton Road junction and to the front of Lea Springs Flexicare home will increase and congest. The lack of any planning for the temporary use and migration to permanent is typical of complete neglect of impact on residents and should be addressed before consideration of any planning application.
- Application of potential parking restrictions to address any immediate vicinity effects is likely to cascade problems into other roads – the majority of Batford estate roads are congested and it is unlikely that mitigation will solve this.
- As indicated in other submissions the residential amenity aspects of other work are woefully inadequate – noise impact assessment on residents is all but non-existent, flood risk is recognized but no detail is provided for the long term viability of the drainage provision through the site – a channel is identified but no information is given about its durability. It is noted that water flows will be directed to right hand turn in the channel to the north of the proposed sports hall – erosion or overspill failure at this point (where it could be expected) has potential to direct more water into a known damp area of the current field which attenuation works at the South Western corner may work against. It is understood that HCC were made aware by the landowners' representatives of intent to volunteer the retained strip of land to St Albans District Council under a Call for Sites' for Housing development. The combination of potentially low functioning drainage solution with housing development in the area is liable to give rise to periodic overspill of surface water from the field into the only route available – Common Lane / Lower Luton Road to the Ford area at Batford Springs – a route followed by a significant volume of surface water that fails to get into drainage systems on the current estate.
- The greatest failure of consideration of residential amenity comes from the lack of LVIA assessment. As noted in previous representations the

assessment provided references guidelines for derivation of 'worst case' situations through an Appendix which is not provided. Assessments therefore cannot be cross referenced against the process that the assessors claim to have followed. What is apparent is that highly selective views have been presented which miss impact of site generally over a large area – notably from all housing on Southern slopes of River Lea, particularly on Crabtree Lane and its tributary roads from Aldwickbury to Marquis Lane. However major impact of the Sports Hall on the Eastern side of Batford estate is effectively ignored. The exit from the estate on Milford Hill will be dominated by an overshadowing building that will literally eclipse a number of homes, roads and pavement. The dimensions and appearance of the Sports Hall received little commentary in the emerging plans – in contrast to the main building. Subsequent addition of clearer contour data (dated 15-12-2017 in a separately identified Further Information folder) allows for rudimentary assessment of the impact of the building. This appears to show a building of a mainly bland monotonous finish (along over 70% of its length) standing on a base of at approx. 93.5m with an indicative height of 10.5m (the elevations are imprecise with marked heights not corresponding to plan definitions). The added information indicates a level of 95.0m in a residential garden on North Western corner of Milford Hill / Common Lane junction. This is estimated to be at least 0.5m above the level of the road junction. From this level a 10.5m 'wall' has the appearance (in perspective) of a solid wall equivalent to 50m above the horizon. This equates to 4 times the current rise in land level. From points close to the current field boundary (such as presented to drivers exiting Milford Hill) the width of the building will have the appearance of extending over half of the entire Eastern boundary length. In essence the view is totally dominated by the building, a building for which the only break in the monotony of finish is some second storey windows at Southern End which will effectively look directly in to second storey windows of houses in Common Lane – a condition Vincent & Gorbing stated was to be avoided in initial searches. More relevant however is the effect on sunlight reaching the properties and roads on western boundary of the site. The sunrise in the area takes place along the eastern boundary of the site (varying in where the sun appears during course of year, but in winter effectively due east). Using Section line C in clarified landscape plan a rising sun at point C2 currently casts fails to light the road at the junction for 30-45 minutes due to the roadside tree/hedge line – the initial shadow (which is imprecise due to nature of vegetation) appears on Milford Hill near Tallents Crescent junction. (This is a little under 100m that would be cast as a shadow if Milford Hill were level – the rise reduces it). With the addition of the Sports Hall a taller and more defined block to light would be present – in level conditions this is estimated to generate a shadow length stretching to approximately 250m compared to 100m beyond the junction. This would stretch well beyond Tallents Crescent junction and would fall on numerous properties. The width of the shadow – given the chosen orientation of the proposed Sports Hall is substantial – for roads and properties closer to the build line (within say 100m) it is likely that the

shadow will persist for 45-60 minutes longer at certain times of the year and that the path of the rising sun will mean some areas are completely denied direct sunlight for parts or even all of the year. In particular the footpath down Milford Hill (South Side) turning into Common Lane (west side) will see critical periods of the year where no direct sunlight will assist in frost / ice / snow clearance – this is the main walkway for people walking to the eastern section of the Batford Estate, including pedestrian traffic to / from Batford Nursery / Children's Centre / Sauncey Wood Primary School. For residents in most affected properties (facing the sports hall) the view from ground floor windows will be totally dominated by the building (no visible sky from points within building) and from second storey there will be severely restricted views. Consideration of main school building suggests that although lower in overall height, properties and the road that are within 50-60m of the build line will also experience significant loss of view and light – Appendix 3 indicates the spread of areas affected (which in some cases will extend beyond the area shown on plan. The calculations are approximate, that there was no attempt to consider them in the drawing up of the plan is unacceptable. The plan preparation should have incorporated evaluation of impact in a manner that clearly identifies both loss of light and visual impact. It is considered such work is essential before plans are considered and the plans should be rejected until such matters are addressed. It is further considered that marker balloons are used to identify building corners and that the presentation of these is made known to interested parties given the applicant's reluctance to properly address such matters. It is further noted that a number of options for the Sports Hall location were considered before settling on a solution that maximized loss of amenity for local residents, reinforcing the view that such considerations have not been taken into account by the applicant.

- It is further noted that much of the mitigation for visual and other impact that the applicant is relying on assumes retention of the current boundary tree / hedge lines. In practice this is considered undeliverable for the simple reason that the applicant, through their own negotiation with the current landowner, has not secured the land on which these boundaries exist – indeed it is our understanding that the current landowners' agent made known their intent to promote the use of the land which includes the west facing hedge lines for residential development – a use that would by its very nature preclude retention of the majority of screening. It is further understood this intent was clear before HCC as joint applicant completed its land acquisition.

While it is our view that the lack of consideration of residential amenity is a matter that is sufficiently neglected in this proposal that the Planning Authority should refuse permission, it is noted that authorities often impose conditions. It is suggested therefore that should the Planning Authority be minded to recommend acceptance that it first consider asking for the applicants to withdraw and resubmit plans having taken due consideration of residential amenity matters and a number of other shortcomings, noting that the applicant has chosen not to follow a route that it has used previously in applying for

outline planning permission to be followed by detail plans, a process that would have allowed it the applicant to address such matters. As a final resort should the Authority be minded to grant approval that it notes the lack of consideration of many factors and includes conditions that

- Require the applicant to conform without exception to its scheduled timings for construction
- Require the applicant to provide a plan to address the change in transport consideration from temporary to permanent operation, and that this include a formal commitment from all parents who have children attending the school in its temporary phase to abide by prescribed entry / exit arrangements for the completed school from their availability
- To require the applicant to impose operating conditions on the school operators that strictly reflect the conditions of operation applied for in this application, and that these conditions are to be maintained in full from inception to at least one full cycle of the school at full operating level for a full school generation i.e. to have 7 years of attendees who have all attended the school for seven years. It is further asked that consideration be given to a condition preventing the closure of an existing school within the overarching Schools' Trust (the remaining three secondary schools in Harpenden) that involves displacement of those schools' capacity to this school.
- That consideration is given to controlled vehicular entry to the school when build completed such that entry is only granted to the service entrance for pre-designated users of the Sports area and for vehicles making deliveries to the premises within standard daytime hours. (An exception would clearly apply for emergency services). In essence most regular and all casual users be directed to main car parks.

### **Other Matters**

In addition to material presented in mid-December it is noted that a statutory response has been added in early January from Natural Historic and Built Environment team of Hertfordshire County Council. This is a letter dated 21 December 2017 but posted 2 January 2018. It is noted that this addresses Archaeology and that it notes that two plans to protect archaeology have been rejected by the statutory consultee. It further indicates that the applicant has refused to enter discussions on any further plan to address the Archaeological considerations for the site until a decision is made on planning. It is of great concern that any applicant should seek to avoid responsibility in this matter and it is our view that where an applicant is unwilling to enter into a formal agreement, there are greater grounds for considering there will be a reluctance to fulfill any related condition imposed. We therefore submit this should not be a matter for condition but that without an agreed plan, planning should be refused pending resubmission with an approved plan.

In this particular instance it is noted that there have been many opinions from professionals as to the rare and important nature of indicative finds at this site. We further note that of 80 trial trenches, 34 have archaeological interest finds within them – approaching 50% of the site. This suggests further and very



thorough work is required to be assured that finds are not located in un-trenched areas. It was noted in previous submissions and reiterated here that much of the work that would have been expected in an emerging plan had not been undertaken at the time the Statement of Community Interest exhibitions were held. The Archaeological interest is no exception, nor is the apparent lack of involvement with interested community members subsequently.

### **Summary**

It remains our conclusion that there are still significant omissions in the evidence presented by the applicants, and conflicts between documents and evidence as presented. The additional material presented fails to address most of these concerns in a satisfactory manner. The remaining concerns are of sufficient scale that the Council, as a Planning Authority, has no option but to refuse the application as it has been submitted.

We will continue our review as stated based on recently submitted evidence and assumptions for omitted evidence and will continue to submit our follow up representations as appropriate.

Submitted by David Cairns, Chairman Right School Right Place, on behalf of members of our organization.



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(please mark response FAO H Kershaw)

Hertfordshire County Council  
Spatial Planning and Economy Unit  
CHN216, County Hall  
Hertford,  
Hertfordshire. SG13 8DN

F.A.O. Mr. Chay Dempster

Your ref: PL\0866\17

24 January 2018

Dear Sir,

**Re: Proposed new 6FE school buildings and associated development at Land to the north of Lower Luton Road, Harpenden, Herts. ref: PL\0866\17.**

Further to our letter of 16 November 2017 and subsequent additional representations in December 2017 and January 2018, we wrote to you identifying:

- 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.

We had identified further material that we were continuing to assess and about which we feel obliged to make significant assumptions due to lack of published information. We are adding to that series of representations with this representation. We would however draw your attention to the outstanding matters which have been advised some time ago and which remain unanswered. In particular we draw your attention to the lack of basis of assessment provided for the LViA material, a point which we understand we are not alone in raising with you and about which no material has been provided or questions answered. We therefore submit that this aspect of the planning application is completely compromised and on that aspect alone as an LPA you should be requesting that the applicant withdraws the application, failing which you should be refusing the application on grounds of incompleteness should the applicant continue with the process.

We have included selected references to our initial notification to the Planning Authority by way of extracts from our original notification letters from October/November 2017. These are included at Appendix 1.

#### **Topic 4: Statement of Community Involvement**

A substantial amount of information has eventually been published – while this appears to support RSRP's previously expressed concerns, the timing of the release of information (which was brought to the Planning Authority's attention over 2 months prior to the supply of information) does not permit full evaluation. We have therefore undertaken some rudimentary analysis of the material added and on this limited basis drawn up our further representation.

- SCI (Statement of Community Involvement) Appendix 1 provides a copy of the leaflet produced to notify the process by which the school's promoters, including the applicant, sought to engage public. As this leaflet comprised the sole means of notification to many households it should be viewed in isolation. The leaflet comprises a single two sided A5 sheet. One side has 3 maps showing 4 venues for exhibitions, the other has a list of the venues and dates/times of what is billed as a public exhibition. It states that the subject matter of the exhibition is emerging planning application proposals for the Katherine Warrington School. It fails to identify the site to which the plans refer. Furthermore the school had only announced that it had adopted the name Katherine Warrington School the previous month and at the time of publication the name was relatively unknown to the general public. Viewing this as a stand-alone leaflet, particularly if not having any internet access or awareness of the recent naming there is nothing to indicate this would be a relevant topic for many people. We therefore conclude the notification excluded many people who would have had a legitimate interest. As such the SCI cannot be deemed to be representative – a point compounded when also considering that awareness of the school progress and naming was greatest with one group – Primary School parents – as the naming competition, and its results, was undertaken

through local Primary schools, giving a much higher awareness to a particular interest group.

- SCI Appendix 4 provides a screenshot of KWS website just prior to the exhibitions. As noted above there was a general lack of awareness of the school at this time and for reasons noted above it is understood that many potential interested parties would not have had the means or the inclination to reference the website. It is noted that the website contains the first use of the word 'consultation', both in the text and, ironically, in the title of the exhibition leaflet which failed to use the word 'consultation' at any point. Without any reference in the delivered leaflet to 'consultation' other, less accessed media, including webpage, should be disregarded as tangible evidence of notification a formal consultation process.
- SCI Appendices 3 and 5 comprise a stakeholder e-mail and stakeholder list. It is noted that the list of stakeholders is far from inclusive. The list comprised over 80 Councillors plus one Council Officer – the Chief Executive of St Albans City and District Council – whose departure to take up an unrelated new position at the time of the exhibitions had been announced some time before. It is noted that the nine HCC Councillor invitees consisted of the entire Cabinet plus Chairman of the Council, which coincidentally included 4 of 5 Members for County Wards within the school's likely catchment, but no invitation was issued to Member for Harpenden Rural (formerly St Albans Rural) whose electors are likely to form a majority of school users. The entire member list for St Albans City and District Council was invited, as was the entire Harpenden Town Council. The Council Member stakeholder invitations however excluded any invitees from North Hertfordshire District Council, Dacorum Borough Council, Wheathampstead Parish Council, Redbourn Parish Council, Kimpton Parish Council, Harpenden Rural Parish Council and other local Councils covering Markyate, Flamstead, Whitwell and villages in the Waldens. All these areas are ones which HCC and the school have identified as pupil sources for the new school, and in the case of Wheathampstead, Kimpton, North Herts District and the Parish Councils in the Waldens, the school will be the highest prioritized school for new entrants resident in parts or all of the Council's areas. In the case of Wheathampstead, with in excess of 100 pupils per year consistently entering the Primary education cycle it is very likely that the subsequent occupancy of secondary will be in excess of half of the school's population. No other body, be that Parental representative Group, established Community Group in the locality, known interest group with defined concerns was considered to be a stakeholder. In the latter categories it could have been expected that Harpenden Parents Group, Batford Community Action Group, Batford Springs Volunteers, Harpenden and Wheathampstead History Societies (known Archaeological interests), Harpenden Green Belt Association, CPRE all had known interests as could our own Group which has been identified to the Trust from the early stages of the proposal. The only conclusion that can be drawn is that far from Community involvement of a wide nature the promoters of this scheme have sought the opposite – exclusion of interests and a total unwillingness to involve substantial sections of the Community. The invite itself to "stakeholders" appears however to consist of the

standard web message (see above) plus an added benefit of a one hour preview of the exhibitions – this appears no more than a cynical attempt to seek support from Councillors at future reviews – such as this consultation – and appears to have removed any opportunity for constructive critique from many of those likely to be affected or representing those affected.

- It should be noted that the Appendix numbering within the text of the report does not correspond to the Appendix listing – this includes SCI Appendix 5 which is referred to as Appendix 7 in text (4.6) while the text (4.10, 4.11) identify an Appendix 5 as the Exhibition Boards – in practice these appear to be Appendix 7. Similarly the responses to questionnaires are declared as Appendix 9 – no such Appendix is included, it would appear to be Appendix 8. A number of other appendices are not referenced at all in the text, suggesting, particularly in the light of the non-provision of these Appendices until over a month after the expiry of the original consultation period, that these were not submitted with the report in the original application and indeed may not even have existed in a coherent form at the time of submission.
- SCI Appendix 2 provided a map of distribution area for the leaflets (see above). RSRP has mapped approximate school entry catchment areas onto a copy of this map and included this as Appendix 2 of the submission. The areas defined reflect the school allocation system and how it is likely to relate to the groups approached as potential community consultees. Within the standard HCC allocation process there are priority areas which group schools together in a territory, and within the priority area one community school is designated as nearest school on basis of distance of home to community schools in the priority area. In the Appendix High Catchment Priority has been assigned to those areas for the proposed school would be the nearest in the Priority area and Low Catchment Priority has been assigned to other areas within the priority area from which HCC has identified pupils are likely to be sourced – in practice HCC's Priority Area includes two EPAs (Education Planning Areas) and it could be argued that pupils from any St Albans location could be included, however the case for the school has been made on the basis of the northern EPA and this is defined in the application as omitting St Albans City area. Each of the two areas is then split into areas that were included in the leafleting and areas that were not. What is apparent is that large geographic tranches of High Catchment Priority were excluded from the leafleting – to the extent that the published map did not extend to some areas that would expect this to be their most likely school for entry, creating a group of more affected people who did not get the opportunity to comment (and the same territory includes many residents for whom the school would represent a traffic obstacle in any route to Harpenden irrespective of pupil interest). Conversely a substantial part of the leafleted territory included parts of Harpenden and Redbourn where arguably the establishment of this school will lead to greater access to the existing Harpenden Secondary Schools – an objective that has been previously stated by some parent representatives from these areas. As noted in other representations the applicants have identified an expectation of pupils from North West of Harpenden – it is therefore strange that they chose not

to include further substantial geographies where these school users live (blue area on map again extending beyond the map provided). The imbalance of selection of recipients for canvassing for community involvement to the apparent inclusion of groups who would have potential non-planning interest in seeing the school established over those who would be more directly affected is sufficient to destroy any ability to declare a balance in the outcome. It is of particular interest that parts of Wheathampstead Parish were excluded, despite the site being partly within the parish boundary.

- The feedback form, in SCI appendix 6, fails to ask a simple overall question of whether respondents are in favour of or against the school. Instead two linked response questions are given – these oblige the respondent to declare themselves in favour if they see any aspect that they like, while any concern appears to be inextricable linked to opposition, or, depending on interpretation, the response allows the survey team to decide based on response whether a concern is or is not opposition. As noted from a scan of a sample of responses received there is a significant contingent of respondents who have grave concerns about the appropriateness of site choice while recognizing there is some need for additional capacity in secondary education. In practice this is akin to the view that has been consistently held by RSRP since its inception in September 2013 – when it was identified that while estimates of the scale of need varied significantly the common factor was that consistently 60% of demand was within the Town and that this is less than the capacity of the three existing schools by a significant margin. Given this view has been expressed to the groups promoting the school the construction of a community involvement questionnaire that did seek to extract a distinct view on the appropriateness of the site separate to the more emotive support or don't support postulations. It is further noted that having clearly identified that the planning application needs to consider Very Special Circumstances due to its nature there is no question relating to whether this aspect of the planning application is sufficiently covered. The matters are not unrelated as alternatives, and by inference site options would need to be addressed and neither material presented nor questions posed address this aspect. It did subsequently transpire from the material submitted with the application that although work in relation to the site proposed had been undertaken, work relating to refreshing the site search and selection had not been reported on at the time of the exhibitions – in essence an incomplete basis on which to stage the exhibitions.
- In previous comments prior to publication of SCI Appendices RSRP noted anomalies in the presentation of the material in the main report. In particular scaling of graphs gave the impression of greater weight to some characteristics relative to others. In practice not only is one issue dominant – to the extent that more than 50% of respondents (of which there were a substantial number for such a survey) cited the concern. The concern being Traffic and Congestion and further being that specific item flagged under the conditions of question 2. At about half as many again as thought design was good it is supportive of RSRP's initial response that a presentation that gives an apparent greater visual impact to this

characteristic is highly misleading. When further considering that Transport and Access and wrong site also appear in same list with considerable numbers it is questionable whether the location choice and failure to project need in terms of travel (and associated congestion) mean that in essence the root cause in practice a greater level of criticism than the figures suggest. This is further reinforced by the same group of comments appearing under responses to question 3 (80-100 responses in 3 related areas) and again under additional comments section. While it is possible that there will be some duplication through repetition it very likely that persons commenting under q1 and then adding concerns / areas of improvement under q3 or further comments are in effect adding to the material consideration of transport/traffic/site choice (relative to need) issue and that far from a simple majority of respondents being concerned about this aspect, the reality of the response is that a substantial majority consider this aspect to be a failing in the plans being put forward. It is further thought that measures that have been suggested are geared towards reducing risk by bringing traffic to a standstill (and therefore managing down) impact of any accident, rather than addressing the issues of balancing considerations of safety and local amenity – the latter is effectively being sacrificed and being to a greater degree by the suggested measures which fail to address the underlying cause. In this respect the comments drawn out at the exhibitions are not explored sufficiently in the analysis presented and this can only be considered a failing of the Community Involvement exercise.

- We return to a comment made without the benefit of the Appendices. In an earlier representation RSRP noted that the display boards and comments made by exhibitors suggested that many aspects of the plans were insufficiently developed for meaningful discussion at the exhibitions. Specifically this is refreshed by the opportunity to re-read the comments typified by board 01 (SC Appendix 6) where the final paragraph identifies “There will be a considerable amount of additional work..” and specific items like board 03 which identified that a transport assessment had NOT been undertaken, it is clear that the exhibitions were premature in that they insufficient developed information to make an all-round judgement. This point was made as part of the feedback process but is not mentioned in the SCI report, arguably not surprising as admitting to the direct consequence of what had been declared on the boards and amplified by discussion would essentially have led to one conclusion – a more complete basis was required for a meaningful input to the planning process. The applicant has clearly decided that is not something they wish to do. The reason for doing remains as valid as when first stated – if there are insufficiently developed plans then it is impossible to make valid comments and the material submitted under SCI should be treated as insufficient for purpose.
- There is a further telling point. Since the exhibitions the Trust has held a separate consultation, as required by the Academies Act. This has more often than not been held prior to a planning exhibition but the general approach has been to identify plans in the embryonic stage during the Academies Act consultation and take preliminary feedback then. In

practice this is how the Katherine Warrington School had initially advertised the sequence, and how the sister project that HCC launched for Croxley Green was conducted, but close to exhibition time this sequence was switched. However the Academies Act consultation was launched in early September 2017 with a single planned open evening (in Central Harpenden) on 18 September 2017. Although it subsequently transpired that much of the planning material was ready and indeed had been submitted before this consultation evening, none of the material was made available save approximately half the display boards (with alternatives relating to the school's educational policies replacing the other boards). In particular it was noted that section 6 of the SCI is entitled "Responding To Feedback" and subtitled ESFA (in applicant role) feedback to points raised. At face value this section should consider points raised and playback answers but appears to miss the logical step of reporting back to those making the point – in the absence of any further planning exhibitions the only place that this element has come close to the people who raised the points is by submission to the planning application, which is not published locally and requires both internet access and an awareness of existence to obtain feedback to any point raised – for those that choose to so there is the challenge of identifying whether the feedback is within the pack of (literally) hundreds of documents and then if dissatisfied with outcome (by omission or by unsatisfactory response) the sole route for those who wish to persevere is a formal representation to the planning process – with the likelihood that points raised are unlikely to go to the applicant for the most part. This approach is all the more frustrating when it is clear that if any document could have been made public in the Academies Act Consultation it was this one – in practice the Trust running that event had either agreed to with-holding or prevented from releasing the information, or, worse, were unaware of its existence. Given the response to questions on the night (18 September) which were to the effect that the Trust were aware that a Planning Application was in the process of being submitted (subsequently transpiring that it had been submitted but was in validation) it would appear a very deliberate strategy to withhold, be it on the instruction of applicant or initiative of the Trust. Such an approach is fundamentally opposed to the objectives of Community involvement and has fostered an atmosphere of distrust of both applicant and process.

- Returning to the SCI itself in the opening summary at section 1.6 it is stated that the EFSA has pursued 'individual meetings with residents and stakeholders' (in addition to the exhibition). As RSRP representing a substantial number of people with substantial concerns we are not aware of a single meeting that qualifies under this statement. As noted above the careful selection of "stakeholders" is exclusive to the point of being ridiculous – and again if the choice of stakeholder includes (and is potentially restricted to) Council Members whose role requires their involvement then this does not fulfil the objectives of Community involvement as outlined 3.1 and 3.2. Again as an organization we are unaware of any point taken to EFSA by any elected representative on behalf of a resident and similarly we have no report of any feedback. In essence the complete absence of evidence suggests to us that the claim of



involvement and the parallel claims in 7.1, 7.4 and 7.5 of understanding community issues is totally unfounded.

- Reviewing the 'responses' in section 6 it is noted that there is a claim that the maximum number of parking spaces has been allowed citing St Albans City and District Council policy but failing to identify which policy. In practice there is considerable doubt over this specific claim and the scale of difference highlighted elsewhere in representations where Croxley Danes (being submitted in parallel to Three Rivers District Council) has approx. twice the on-site parking provision for an identical school. Additionally St Albans has expressed concern over lack of parking / drop off facility and the consequent impact on the local community amenity and this has been echoed in representations from Harpenden Town Council and Wheathampstead Parish Council. All of these are wholly incompatible with a statement that a maximum form the general LPA for the area has been reached as all three Councils are likely to have great awareness of such policies. The ESFA should therefore substantiate this claim with references and if unable to do so then the claim should be ignored and the making of the claim be taken as an indication of an aggressive attitude by the applicant to local community.

In summary RSRP's further review of Community Involvement has reinforced its initial view which is one of great skepticism of the applicants approach. Attention is drawn to similar scale project for outline permission in respect of a project in Bishops Stortford in 2014 – this is present in full under reference 3/2037-14 on HCC web portal and also is directly linked from New School Page in Schools Planning section of main HCC website. A copy of the Statement of Community Involvement prepared for this proposal is included as separate Appendix (Appendix 4) – the nature of the report and in particular the notification leaflet (appendix A with the report) and the response form (Appendix C within the report) are highlighted for comparison. They have clear identification of purpose site and how to respond.

For this project the SCI format is different. It appears to have been undertaken with an underlying aim of deflecting any valid critique by seeking first to minimise involvement of those with potential negative comments and then to seek divert with platitudes rather than seek solutions to address issues. There is a clear reluctance to review root cause issues and no understanding of what has led to the concerns in the first instance. Such an approach has been apparent with one of the co-applicants for a long period as HCC has deflected every aspect of this at each stage of its development from conception to current phase. It can only be concluded that there is no intent to engage and that the formal community involvement process was not expected to generate significant change. Many of the issues noted above are consistent with such an approach – most of all 3 months to provide information that should have been to hand when originally submitted. It is useful for the plan consideration that there is clear and significant concern over the real problem of transport and traffic related to the application – this aspect has yet to be correctly addressed as to date the applicant has not recognized the root cause of the problems and has not therefore considered a suitable remedy. On the basis of the material produced and the responses given the outcome must

be deemed unsatisfactory and the application refused until matters are fully addressed.

### **Topic 6: Residential Amenity**

The question of residential amenity and the impact of the proposal on the local community has been highlighted in many aspects, but crystalized by the Community Involvement approach and the remaining omission of LVIA information.

As noted in the commentary above the approach of the applicant is one of having no regard for impact on local residents of their proposed development. This is particularly apparent in proposed mitigation for any shortfall in parking capacity, where the 'solution' includes assisting to fund parking restrictions on surrounding roads – these generally incur costs for residents and are only implemented after periods of intense frustration with growing problems (a similar scheme has recently been commissioned for roads surrounding the nearby Batford Childrens' Centre following long term expansion and displacement of staff parking from within the site).

The intent is clear – minimum provision and allow residents to suffer before introducing any measures which will also impair resident amenity but which will seem preferable at the time.

Other areas that are noted for impact on residential amenity are:

- Traffic management measures – statements are made as to general measures that are intended to mitigate risk. These fail to address likely impact on local residential roads of which the following are likely to be significantly affected:
  - Castle Rise and Manor Road in Lea Valley estate – likely drop off point for traffic from east as parents seek to avoid being trapped in queue to / from approach from East. Avoidance route was sorely tested after recent morning car accident on Lower Luton Road.
  - Crabtree Lane from Dalkeith Road to Marquis Lane and tributary roads – drop point for pupils arriving from west of area including South Harpenden. Rat run likely with return leg on Marquis Lane to Station Road (and opposite route)
  - All roads in Batford estate on East side – likely to see traffic turn into Pickford Hill, South View Road, Batford Road (spur) and Common Lane. Drop off will be targeted as near as possible to school using Tallents Crescent, Milford Hill, Holcroft Road Roundfield Avenue as rat runs, and despite comments Batford Road & Salisbury Road.
  - Lower Luton Road spur (incorrectly identified as an extension of Crabtree lane North of river Lea (ford))
  - Lower Luton Road.

All of the above are likely to experience high volumes of traffic for the simple reasons of inadequate provision of drop-off capacity and human nature of significant numbers who will seek to drop away from an on-site

area even if a substantial area provided. Experience with other schools locally is that they are relatively powerless and only a small proportion of inconsiderate parents has significant impact on residential amenity (blocking resident access, congesting roads etc). No apparent account has been taken in the measures proposed to address residents' loss of amenity.

- Direction of traffic to Common Lane in first year – the solution to year 1 situation is geared to protection of school users by separation of construction activity from temporary school use. No plans have been provided for the management of 180 children and staff associated with the temporary year 1 operation – 18 parking places with a restrictive entry / exit and lack of ability to turn high volumes of cars through the car park leaves no real option other than the use of Common Lane – for which there is neither mitigation nor is there a plan to manage the situation into a longer term alternative plan. It is likely that first years will form a habit of drop off and simply continue and pass on that habit for subsequent years. This places undue loading on residents in the immediate area, including all users from lanes to north of Common lane, any Batford estate residents who use the exit to the east of the estate (via Milford Hill to Common Lane). Similarly loading at the Common lane / Lower Luton Road junction and to the front of Lea Springs Flexicare home will increase and congest. The lack of any planning for the temporary use and migration to permanent is typical of complete neglect of impact on residents and should be addressed before consideration of any planning application.
- Application of potential parking restrictions to address any immediate vicinity effects is likely to cascade problems into other roads –the majority of Batford estate roads are congested and it is unlikely that mitigation will solve this.
- As indicated in other submissions the residential amenity aspects of other work are woefully inadequate – noise impact assessment on residents is all but non-existent, flood risk is recognized but no detail is provided for the long term viability of the drainage provision through the site – a channel is identified but no information is given about its durability. It is noted that water flows will be directed to right hand turn in the channel to the north of the proposed sports hall – erosion or overspill failure at this point (where it could be expected) has potential to direct more water into a known damp area of the current field which attenuation works at the South Western corner may work against. It is understood that HCC were made aware by the landowners' representatives of intent to volunteer the retained strip of land to St Albans District Council under a Call for Sites' for Housing development. The combination of potentially low functioning drainage solution with housing development in the area is liable to give rise to periodic overspill of surface water from the field into the only route available – Common Lane / Lower Luton Road to the Ford area at Batford Springs – a route followed by a significant volume of surface water that fails to get into drainage systems on the current estate.
- The greatest failure of consideration of residential amenity comes from the lack of LVIA assessment. As noted in previous representations the

assessment provided references guidelines for derivation of 'worst case' situations through an Appendix which is not provided. Assessments therefore cannot be cross referenced against the process that the assessors claim to have followed. What is apparent is that highly selective views have been presented which miss impact of site generally over a large area – notably from all housing on Southern slopes of River Lea, particularly on Crabtree Lane and its tributary roads from Aldwickbury to Marquis Lane. However major impact of the Sports Hall on the Eastern side of Batford estate is effectively ignored. The exit from the estate on Milford Hill will be dominated by an overshadowing building that will literally eclipse a number of homes, roads and pavement. The dimensions and appearance of the Sports Hall received little commentary in the emerging plans – in contrast to the main building. Subsequent addition of clearer contour data (dated 15-12-2017 in a separately identified Further Information folder) allows for rudimentary assessment of the impact of the building. This appears to show a building of a mainly bland monotonous finish (along over 70% of its length) standing on a base of at approx. 93.5m with an indicative height of 10.5m (the elevations are imprecise with marked heights not corresponding to plan definitions). The added information indicates a level of 95.0m in a residential garden on North Western corner of Milford Hill / Common Lane junction. This is estimated to be at least 0.5m above the level of the road junction. From this level a 10.5m 'wall' has the appearance (in perspective) of a solid wall equivalent to 50m above the horizon. This equates to 4 times the current rise in land level. From points close to the current field boundary (such as presented to drivers exiting Milford Hill) the width of the building will have the appearance of extending over half of the entire Eastern boundary length. In essence the view is totally dominated by the building, a building for which the only break in the monotony of finish is some second storey windows at Southern End which will effectively look directly in to second storey windows of houses in Common Lane – a condition Vincent & Gorbng stated was to be avoided in initial searches. More relevant however is the effect on sunlight reaching the properties and roads on western boundary of the site. The sunrise in the area takes place along the eastern boundary of the site (varying in where the sun appears during course of year, but in winter effectively due east). Using Section line C in clarified landscape plan a rising sun at point C2 currently casts fails to light the road at the junction for 30-45 minutes due to the roadside tree/hedge line – the initial shadow (which is imprecise due to nature of vegetation) appears on Milford Hill near Tallents Crescent junction. (This is a little under 100m that would be cast as a shadow if Milford Hill were level – the rise reduces it). With the addition of the Sports Hall a taller and more defined block to light would be present – in level conditions this is estimated to generate a shadow length stretching to approximately 250m compared to 100m beyond the junction. This would stretch well beyond Tallents Crescent junction and would fall on numerous properties. The width of the shadow – given the chosen orientation of the proposed Sports Hall is substantial – for roads and properties closer to the build line (within say 100m) it is likely that the

shadow will persist for 45-60 minutes longer at certain times of the year and that the path of the rising sun will mean some areas are completely denied direct sunlight for parts or even all of the year. In particular the footpath down Milford Hill (South Side) turning into Common Lane (west side) will see critical periods of the year where no direct sunlight will assist in frost / ice / snow clearance – this is the main walkway for people walking to the eastern section of the Batford Estate, including pedestrian traffic to / from Batford Nursery / Children's Centre / Sauncey Wood Primary School. For residents in most affected properties (facing the sports hall) the view from ground floor windows will be totally dominated by the building (no visible sky from points within building) and from second storey there will be severely restricted views. Consideration of main school building suggests that although lower in overall height, properties and the road that are within 50-60m of the build line will also experience significant loss of view and light – Appendix 3 indicates the spread of areas affected (which in some cases will extend beyond the area shown on plan. The calculations are approximate, that there was no attempt to consider them in the drawing up of the plan is unacceptable. The plan preparation should have incorporated evaluation of impact in a manner that clearly identifies both loss of light and visual impact. It is considered such work is essential before plans are considered and the plans should be rejected until such matters are addressed. It is further considered that marker balloons are used to identify building corners and that the presentation of these is made known to interested parties given the applicant's reluctance to properly address such matters. It is further noted that a number of options for the Sports Hall location were considered before settling on a solution that maximized loss of amenity for local residents, reinforcing the view that such considerations have not been taken into account by the applicant.

- It is further noted that much of the mitigation for visual and other impact that the applicant is relying on assumes retention of the current boundary tree / hedge lines. In practice this is considered undeliverable for the simple reason that the applicant, through their own negotiation with the current landowner, has not secured the land on which these boundaries exist – indeed it is our understanding that the current landowners' agent made known their intent to promote the use of the land which includes the west facing hedge lines for residential development – a use that would by its very nature preclude retention of the majority of screening. It is further understood this intent was clear before HCC as joint applicant completed its land acquisition.

While it is our view that the lack of consideration of residential amenity is a matter that is sufficiently neglected in this proposal that the Planning Authority should refuse permission, it is noted that authorities often impose conditions. It is suggested therefore that should the Planning Authority be minded to recommend acceptance that it first consider asking for the applicants to withdraw and resubmit plans having taken due consideration of residential amenity matters and a number of other shortcomings, noting that the applicant has chosen not to follow a route that it has used previously in applying for

outline planning permission to be followed by detail plans, a process that would have allowed it the applicant to address such matters. As a final resort should the Authority be minded to grant approval that it notes the lack of consideration of many factors and includes conditions that

- Require the applicant to conform without exception to its scheduled timings for construction
- Require the applicant to provide a plan to address the change in transport consideration from temporary to permanent operation, and that this include a formal commitment from all parents who have children attending the school in its temporary phase to abide by prescribed entry / exit arrangements for the completed school from their availability
- To require the applicant to impose operating conditions on the school operators that strictly reflect the conditions of operation applied for in this application, and that these conditions are to be maintained in full from inception to at least one full cycle of the school at full operating level for a full school generation i.e. to have 7 years of attendees who have all attended the school for seven years. It is further asked that consideration be given to a condition preventing the closure of an existing school within the overarching Schools' Trust (the remaining three secondary schools in Harpenden) that involves displacement of those schools' capacity to this school.
- That consideration is given to controlled vehicular entry to the school when build completed such that entry is only granted to the service entrance for pre-designated users of the Sports area and for vehicles making deliveries to the premises within standard daytime hours. (An exception would clearly apply for emergency services). In essence most regular and all casual users be directed to main car parks.

### **Other Matters**

In addition to material presented in mid-December it is noted that a statutory response has been added in early January from Natural Historic and Built Environment team of Hertfordshire County Council. This is a letter dated 21 December 2017 but posted 2 January 2018. It is noted that this addresses Archaeology and that it notes that two plans to protect archaeology have been rejected by the statutory consultee. It further indicates that the applicant has refused to enter discussions on any further plan to address the Archaeological considerations for the site until a decision is made on planning. It is of great concern that any applicant should seek to avoid responsibility in this matter and it is our view that where an applicant is unwilling to enter into a formal agreement, there are greater grounds for considering there will be a reluctance to fulfill any related condition imposed. We therefore submit this should not be a matter for condition but that without an agreed plan, planning should be refused pending resubmission with an approved plan.

In this particular instance it is noted that there have been many opinions from professionals as to the rare and important nature of indicative finds at this site. We further note that of 80 trial trenches, 34 have archaeological interest finds within them – approaching 50% of the site. This suggests further and very

thorough work is required to be assured that finds are not located in un-trenched areas. It was noted in previous submissions and reiterated here that much of the work that would have been expected in an emerging plan had not been undertaken at the time the Statement of Community Interest exhibitions were held. The Archaeological interest is no exception, nor is the apparent lack of involvement with interested community members subsequently.

### **Summary**

It remains our conclusion that there are still significant omissions in the evidence presented by the applicants, and conflicts between documents and evidence as presented. The additional material presented fails to address most of these concerns in a satisfactory manner. The remaining concerns are of sufficient scale that the Council, as a Planning Authority, has no option but to refuse the application as it has been submitted.

We will continue our review as stated based on recently submitted evidence and assumptions for omitted evidence and will continue to submit our follow up representations as appropriate.

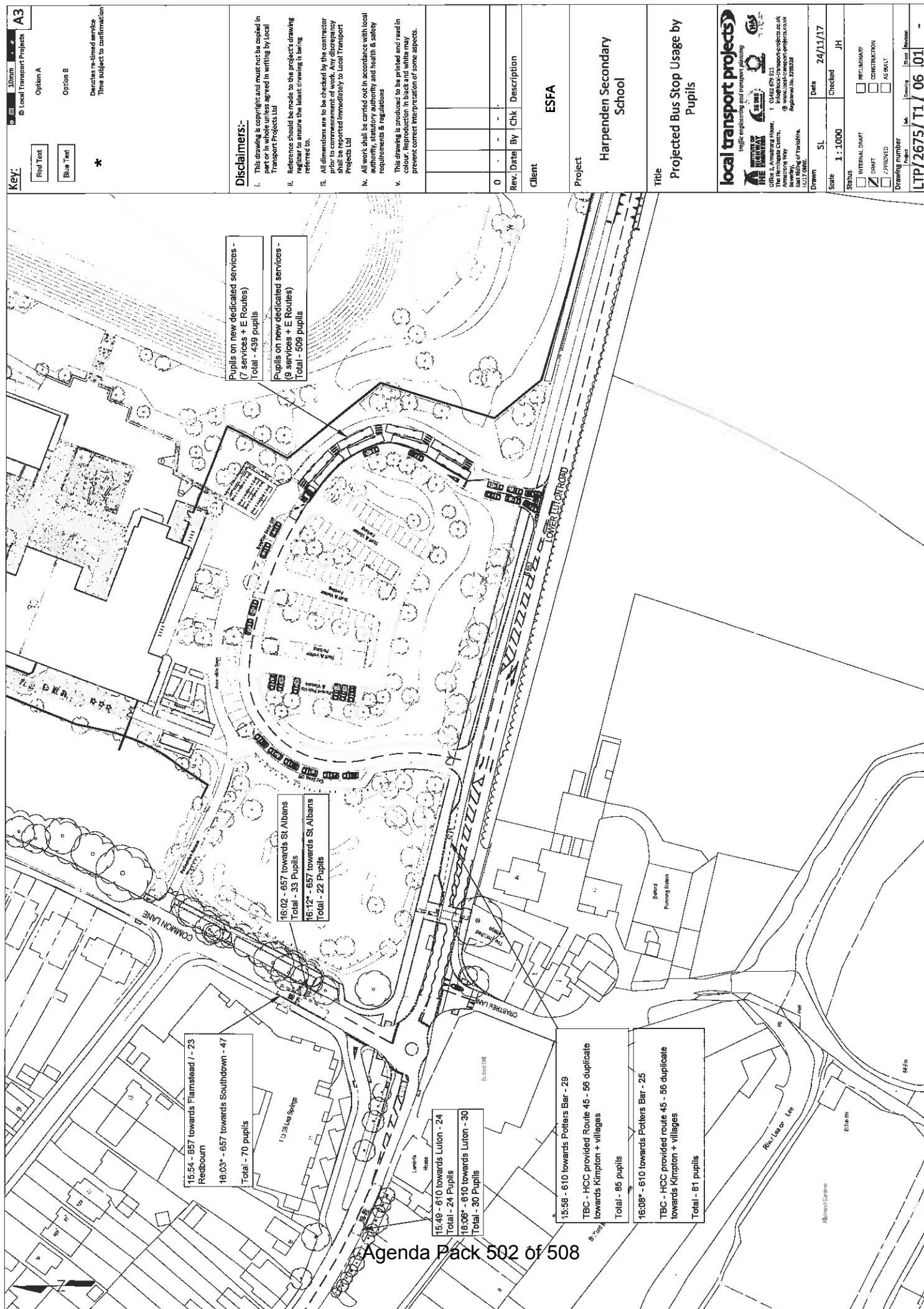
Submitted by David Cairns, Chairman Right School Right Place, on behalf of members of our organization.

# Appendix 14:

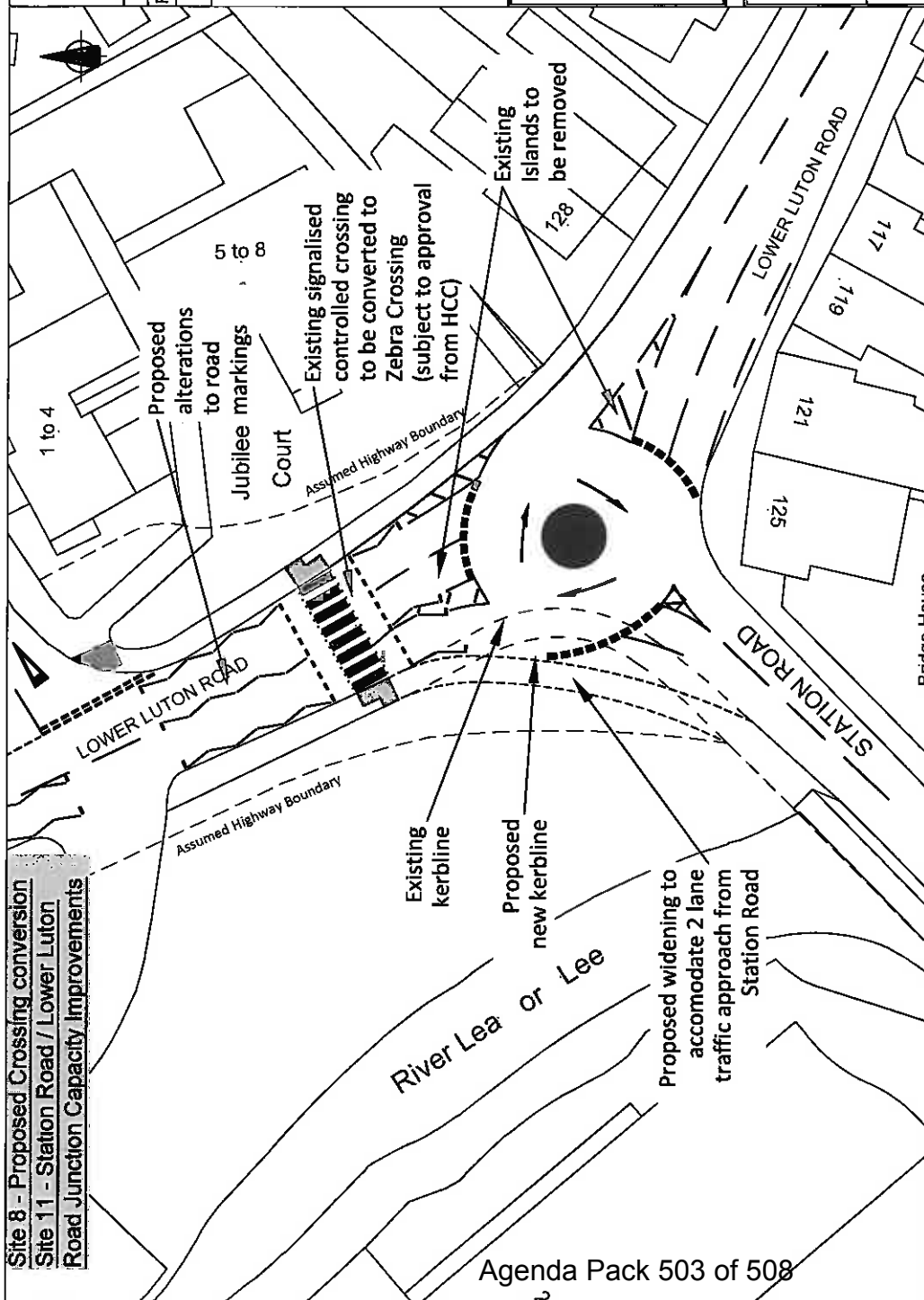
## Proposed accesses; & junction improvement works







**Site 8 - Proposed Crossing conversion  
Site 11 - Station Road / Lower Luton  
Road Junction Capacity Improvements**



**Notes**

- A01. THESE NOTES ARE INTENDED TO AUGMENT DRAWINGS AND SPECIFICATIONS. WHERE CONFLICT OF REQUIREMENTS EXISTS THE ORDER OF PRECEDENCE SHALL BE AS SHOWN IN THE SPECIFICATION. OTHERWISE THE STRICTEST PROVISION SHALL GOVERN.
- A02. THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT ENGINEERS AND ARCHITECTS' DRAWINGS.
- A03. DRAWINGS NOT TO BE SCALED. ALL DIMENSIONS TO BE CHECKED ON SITE BY THE CONTRACTOR. ANY DISCREPANCIES TO BE NOTIFIED TO THE ENGINEER AND FURTHER INSTRUCTIONS OBTAINED BEFORE WORK IS COMMENCED.

NO PART OF THIS DRAWING MAY BE REPRODUCED, STORED IN A RETRIEVAL SYSTEM OR TRANSMITTED IN ANY FORM OR BY ANY MEANS WITHOUT PRIOR PERMISSION IN WRITING FROM ALAN WOOD & PARTNERS.

G01. THE PROPOSED LAYOUT OPTION IS BASED ON THE ORDANCE SURVEY BASE MAPPING. DETAILED DESIGN WILL BE REQUIRED FOLLOWING RECEIPT OF TOPOGRAPHICAL SURVEYS AND FURTHER SITE INFORMATION.

G02. THE DESIGN MAY BE SUBJECT TO CHANGE DEPENDING ON THE PRESENCE OF UNDERGROUND SERVICES

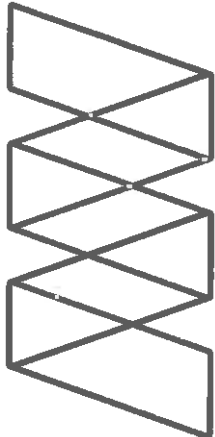
G03. PRELIMINARY DESIGN LAYOUT ONLY. SCHEME SUBJECT TO FURTHER DETAILED DESIGN.

G04. ALL MEASURES SUBJECT TO AGREEMENT WITH THE LOCAL HIGHWAY AUTHORITY.

G05. ALL SIGNS AND ROAD MARKINGS IN ACCORDANCE WITH NATIONAL GUIDANCE, STANDARDS AND LEGISLATION.

G06. © CROWN COPYRIGHT AND DATABASE RIGHTS 2017  
ORDNANCE SURVEY 01000031673

Rev	Description	Date	Dm	Chk
1	FIRST ISSUE	DD.MM.YY	-	-



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Project: **Katherine Warington School**

Client: **EFSA**

Drawing: **S8 - Proposed Crossing  
Conversion / S11 - Proposed  
Capacity Improvements**

Date: 14/08/17 Scale: A4: 1:500

Drawn By: RL Check By: JH Approved By: TK

Drawing Status: **PRELIMINARY**

Job. no. Dwg. no. Rev.  
**2675/AWP/S08/01 -**

# Site 2 - Common Lane Access Visibility Splays

## Visibility Splay Key

Visibility Splay for  
 Design Speed 30mph:-  
 y distance = 43m  
 x distance = 2.4m

Visibility Splay for  
 Design Speed 30mph:-  
 y distance = 43m  
 x distance = 4.5m

## Notes:-

Visibility splay is based on Manual  
 for Streets

Agenda Pack 504 of 508

COMMON LANE

Vehicle Access to Katherine  
 Warrington School

## Notes:-

Visibility splay is based on Manual  
 for Streets

## Notes

A01. THESE NOTES ARE INTENDED TO AUGMENT DRAWINGS  
 AND SPECIFICATIONS. WHERE CONFLICT OF REQUIREMENTS  
 EXISTS THE ORDER OF PRECEDENCE SHALL BE AS SHOWN IN  
 THE SPECIFICATION. OTHERWISE THE STRICTEST PROVISION  
 SHALL GOVERN.

A02. THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL  
 OTHER RELEVANT ENGINEERS AND ARCHITECTS DRAWINGS.

A03. DRAWINGS NOT TO BE SCALED. ALL DIMENSIONS TO BE  
 CHECKED ON SITE BY THE CONTRACTOR. ANY  
 DISCREPANCIES TO BE NOTIFIED TO THE ENGINEER AND  
 FURTHER INSTRUCTIONS OBTAINED BEFORE WORK IS  
 COMMENCED.

100mm at A4

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 BY ANY MEANS WITHOUT PRIOR PERMISSION IN WRITING  
 FROM ALAN WOOD & PARTNERS.

G01. THE PROPOSED LAYOUT OPTION IS BASED ON THE  
 ORDNANCE SURVEY BASE MAP. DETAILED DESIGN WILL  
 BE REQUIRED FOLLOWING RECEIPT OF TOPOGRAPHICAL  
 SURVEYS AND FURTHER SITE INFORMATION.

G02. THE DESIGN MAY BE SUBJECT TO CHANGE DEPENDING  
 ON THE PRESENCE OF UNDERGROUND SERVICES

G03. THE GENERAL LAYOUT WITHIN THE SCHOOL IS  
 INDICATIVE AND SUBJECT TO CHANGE FOLLOWING FURTHER

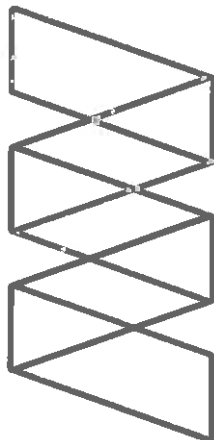
DESIGN BY THE ARCHITECT.

G04. PRELIMINARY DESIGN LAYOUT ONLY. SCHEME SUBJECT  
 TO FURTHER DETAILED DESIGN.

G05. ALL MEASURES SUBJECT TO AGREEMENT WITH THE  
 LOCAL HIGHWAY AUTHORITY.

G06. ALL SIGNS AND ROAD MARKINGS IN ACCORDANCE WITH  
 NATIONAL GUIDANCE, STANDARDS AND LEGISLATION.

Rev	Description	Date	Dm	Chk
-	FIRST ISSUE	DD.MM.YY	-	-



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 www.alanwood.co.uk

Project:

Katherine Warrington School

Client:

EFSA

Drawing: Visibility Splay - Common Lane  
 Vehicle Access

Date: 14/08/17 Scale@A4: 1:500

Drawn By: RL Check By: JH Approved By: TK

Drawing Status: PRELIMINARY

Job no. Dwg. no. Rev.

2675/AWP/V02/02 -



**Notes**

A01. THESE NOTES ARE INTENDED TO ALIGNMENT DRAWINGS AND SPECIFICATIONS, WHERE CONFLICT OF REQUIREMENTS EXISTS THE ORDER OF PRECEDENCE SHALL BE AS SHOWN IN THE SPECIFICATION, OTHERWISE THE STRICTEST PROVISION SHALL GOVERN.

A02. THE DRAWING TO BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT ENGINEERS AND ARCHITECTS DRAWINGS.

A03. DRAWINGS NOT TO BE SCALED. ALL DIMENSIONS TO BE CHECKED ON SITE BY THE CONTRACTOR. ANY DISCREPANCIES TO BE NOTIFIED TO THE ENGINEER AND COUNTER INSTRUCTIONS OBTAINED BEFORE WORK IS COMMENCED.

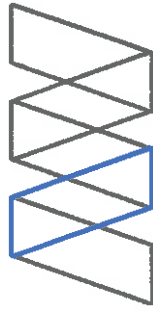
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**Key**

Existing NNWAT

Proposed NNWAT

Rev	Description	Date	Drn. Chk.
-----	-------------	------	-----------



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Thames Valley  
T. 01462 899800  
London  
T. 0203 882824

Consulting Civil & Structural Engineers  
Project Managers  
Building Surveyors

Project:	Harpenden Secondary School
Client:	ESFA
Drawing:	Proposed Waiting Restrictions
Date:	24/10/17
Scale@A2:	1 : 2000
Drawn By:	MH
Check By:	TK
Approved By:	JG
Drawing Status:	PRELIMINARY
Job no.	2675-AWP-S30-01
Dwg. no.	
Rev.	

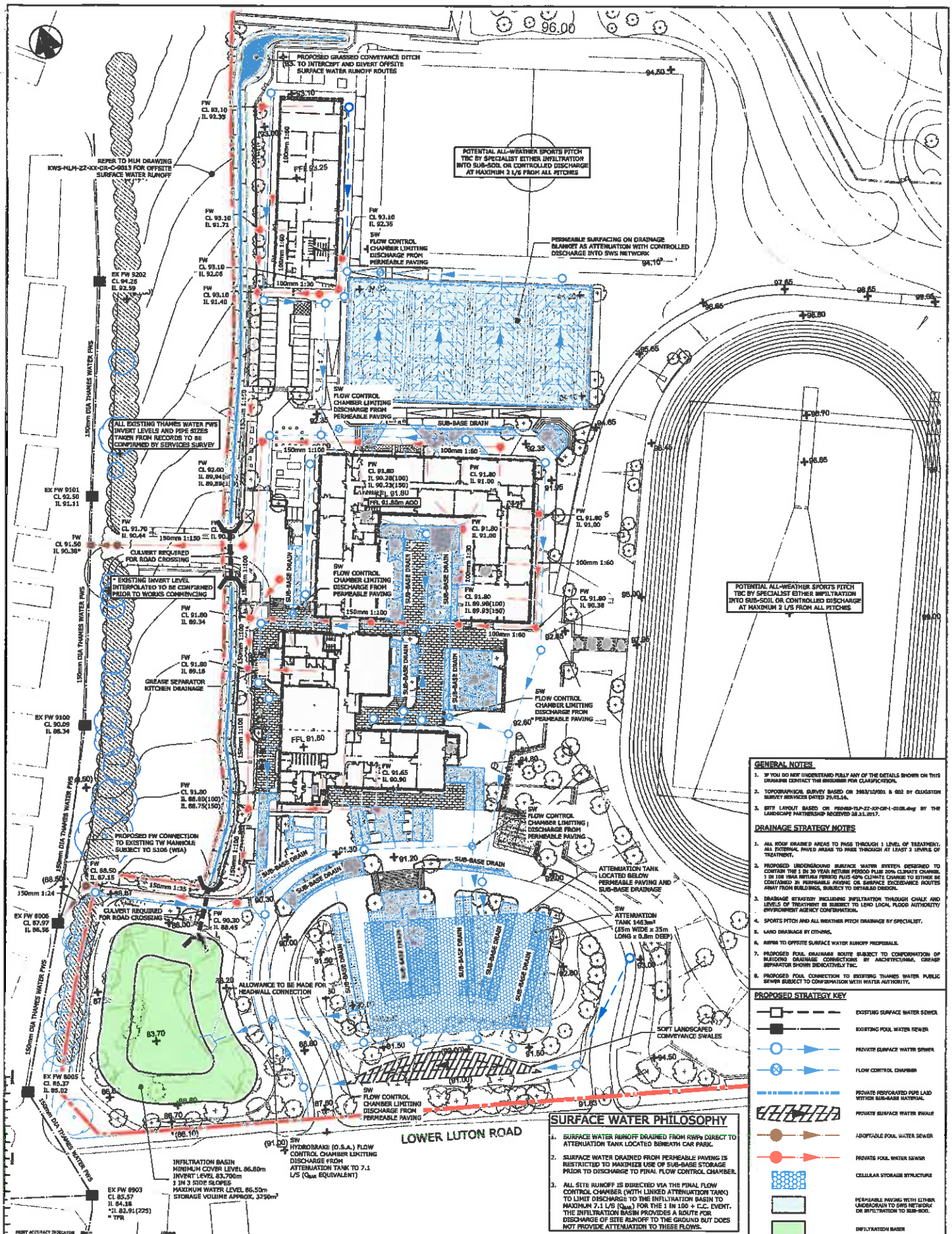
# Appendix 15:

## Overland Flow Route; & Drainage Strategy









**NOTES**

- THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ENGINEERING, ARCHITECTURAL AND SPECIALIST DRAWINGS AND THE SPECIFICATION.
- DO NOT SCALE FROM THIS DRAWING MANUALLY OR ELECTRONICALLY. WATER POWER/RAINFALL RATES ARE OBTAINED FROM HAN PAPER TO SCALES ELECTRONICALLY OR USING THIS ELECTRONIC FILE.

REV	DATE	DESCRIPTION	BY	CHECKED	DATE
P03	10.01.2018	DRAWING UPDATED AS PER LUTON COMMENTS	CC	CC	CC
P04	08.12.2017	REVISIONS	CC	CC	CC
P03	01.08.2017	UPDATED PROJECT REFERENCE	CC	NA	NA
P02	24.07.2017	UPDATED TOPOGRAPHY AND PROPOSED LANDSCAPE DRAINAGE UPDATES TO SUIT SW BASIN SIZES (IN ORDER TO ACCOMMODATE OFFSITE SW FLOW)	CC	CC	CC

**PRELIMINARY**

SUITABLE FOR INFORMATION



**MLM Group**

Building 7200,  
Cambridge Research Park,  
Cambridge, CB25 9TL  
Tel: 01223 432200

**CLIENT**  
KIER

**PROJECT**  
KAMERINE WARINGTON  
SCHOOL HARPENDEN

**GENERAL NOTES**

- IF YOU DO NOT UNDERSTAND FULLY ANY OF THE DETAILS SHOWN ON THIS DRAWING CONTACT THE DESIGNER FOR CLARIFICATION.
- TOPOGRAPHICAL SURVEY BASED ON 3863/2001 & 682 BY CULSTON SURVEY SERVICES DATED 29.03.16.
- SWT LAYOUT BASED ON 100mm x 150mm x 100mm x 100mm BY THE LANDSCAPE ARCHITECTURE SERVICES DATED 28.01.17.

**DRAINAGE STRATEGY NOTES**

- ALL ROAD DRAINAGE AREAS TO PASS THROUGH 3 LEVELS OF TREATMENT. ALL EXTERNAL PAVED AREAS TO PASS THROUGH AT LEAST 2 LEVELS OF TREATMENT.
- PROPOSED UNDERGROUND SURFACE WATER SYSTEM DESIGNED TO CONTAIN THE 1 IN 30 YEAR RETURN PERIOD PLUS 30% CLIMATE CHANGE. 1 IN 100 YEAR INITIAL PERIOD PLUS 40% CLIMATE CHANGE TO BE CONTAINED IN PERMEABLE PAVING OR SURFACE EXCESSANCE ROUTES AWAY FROM BUILDINGS, SUBJECT TO DETAILING DECISION.
- DRAINAGE STRATEGY INCLUDING INFILTRATION THROUGH CHALK AND LEVELS OF TREATMENT IS SUBJECT TO LEAD LOCAL FLOOD AUTHORITY APPROVEMENT AGENCY CONTRIBUTION.
- SPORTS PITCH AND ALL WEATHER PITCH DRAINAGE BY SPECIALIST.
- LAND DRAINAGE BY OTHERS.
- APPROX TO OFFSITE SURFACE WATER RUNOFF PROFILES.
- PROPOSED FLOW DRAINAGE ROUTE SUBJECT TO CONFORMATION OF BUILDING DRAINAGE CONNECTIONS BY ARCHITECTURAL, GREASE SEPARATOR SHOWN INDICATIVELY ETC.
- PROPOSED FLOW CONNECTION TO EXISTING THAMES WATER PUBLIC SEWER SUBJECT TO CONFORMATION WITH WATER AUTHORITY.

**PROPOSED STRATEGY KEY**

- EXISTING SURFACE WATER SEWER
- EXISTING POUL WATER SEWER
- PRIVATE SURFACE WATER SEWER
- FLOW CONTROL CHAMBER
- PRIVATE PREPARED FOR LEAD WATER SUSTAINABLE MATERIAL
- PRIVATE SURFACE WATER SNAKE
- ADAPTABLE POUL WATER SEWER
- PRIVATE POUL WATER SEWER
- CELLULAR STORAGE STRUCTURE
- PERMEABLE PAVING WITH OTHER SUBSTRATE TO SUB-SOIL OR INFILTRATION TO SUB-SOIL
- INFILTRATION BASIN

**SURFACE WATER PHILOSOPHY**

- SURFACE WATER RUNOFF DRAINED FROM RWYS DIRECT TO ATTENUATION TANK LOCATED BENEATH CAR PARK.
- SURFACE WATER DRAINED FROM PERMEABLE PAVING IS DIRECTED TO MAXIMIZE USE OF SUB-BASE STORAGE PRIOR TO DISCHARGE TO FINAL FLOW CONTROL CHAMBER.
- ALL SITE RUNOFF IS DIRECTED VIA THE FINAL FLOW CONTROL CHAMBER (WITH LINKED ATTENUATION TANK) TO LIMIT DISCHARGE TO THE INFILTRATION BASIN TO MAXIMUM 7.1 L/S (Q<sub>max</sub>) FOR THE 1 IN 100 + C.C. EVENT. THE INFILTRATION BASIN PROVIDES A ROUTE FOR DISCHARGE OF SITE RUNOFF TO THE GROUND BUT DOES NOT PROVIDE ATTENUATION TO THESE FLOWS.

**FOUL AND SURFACE WATER DRAINAGE STRATEGY**

DRAWING NO: 1:500 @A1 668368 STATUS: S2 REVISION: P05

PROJECT: FS0448 - MLM - ZZ - XX - DR - C - 9100