HERTFORDSHIRE COUNTY COUNCIL

DEVELOPMENT CONTROL COMMITTEE

MONDAY 19 FEBRUARY 2018 AT 10.00AM

Agenda Item No. **1**

ST ALBANS DISTRICT COUNCIL

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 25th 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 complaint 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 complaint 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[1]) 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.

[1] 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 25th 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 (3250m3)
- 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 90^0 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^3 needs to be provided. The drainage strategy proposes an infiltration basin (capacity 3250m^3) 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^3, comprising; permeable paving (440m^3); swale (30m^3); and an attenuation tank (1462m^3) 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. [2] 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[3]. The development plan is the development plan documents (taken as a whole) which have been adopted or approved in relation to that area[4].

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

[2] Section 38 (6) Planning and Compulsory Purchase Act 2004
[3] Section 70 (2) Town and Country Planning Act 2004
[4] 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 9th 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 polices 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[5] 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:

[5] 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 of met on 21st December 2017 where the application was discussed and their letter (02 January 2018) confirms the Council welcomes the application in principle, but requests Hertfordshire County Council as the decision makes 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 27November 2017 when the application was considered. At the meeting the Council resolved to:

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

8.5 Wheathampstead Parish Council raises the following concerns:

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

Green Belt

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

Education Need

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

Landscape and Design

- There are concerns regarding the significant degree of land re-forming and the volume of soil proposed to be pushed into the north-eastern part of the site, which is an area of "high landscape sensitivity";
- The proposed cut and fill operation necessary to create the proposed level areas will increase the final levels in the north east of the site by up to six metres and significant 'reforming' will be necessary to create the proposed access onto the Lower Luton Road. The effects will completely change the nature of the site, destroying the gentle natural rural transition from rural landscape to the edge of the urban settlement;
- The 2-3m high gabion wall proposed adjacent to the athletics track will be highly visible and urbanising;
- The design of the proposed building and choice of landscaping materials is from an urban landscape - inconsistent with the rural setting of this school;

- The sports hall is too high relative to the school buildings; at odds with the overall desire to keep the school buildings as low and unobtrusive as possible;
- The proposed landscaping materials fail to take account for the sites' connection with the countryside; rural materials such as dark timber cladding rural would help to create a better connection with the rural heritage of the site;
- more green space could be provided at the heart of the site;
- the herb garden, outdoor classroom and outdoor gym are supported;
- Tree and hedge planting should be strengthened on the boundaries, and many more trees planted within the site.

Transport

- There is concern about the impact of school buses, parental drop offs and large numbers of students trying to cross the LLR and Common Lane within a small time window, and that this will cause traffic chaos and significant risk of accidents unless well managed;
- HCC considers the section of the LLR between Wheathampstead and Harpenden to be a safe route to school, however, the path is extremely narrow 60-75cm in places and there are high levels of traffic (HGV's, buses, intercity coaches, cars and cyclists) using the road at peak times;
- The Parish Council does not consider the route to be safe; therefore, access to school buses for Wheathampstead children should be subsidised by Herts County Council to make it affordable;
- The Parish Council recognises the proposed one-way configuration in and out of the site is probably the only viable option for traffic management around the site, however, there is concern that this configuration will affect the flow of traffic along the Lower Luton Road, increasing the already bad congestion and the risk of car/car and pedestrian/car accidents;
- There is concern that increased traffic will compromise emergency vehicle access. Ambulances regularly attend the vicinity as it abuts the Lea Springs Residential Care Home

Sustainable Travel

- 225 students (19.6% of all students) are expected to travel to the school from Wheathampstead;
- increased car usage would increase traffic volumes and associated risk of accidents on the LLR;
- The TA assumes that 50% of all students will travel to school by bus, and therefore it is critical that accessible bus services are provided between Wheathampstead and the school site, and that pupils are encouraged to use school buses at peak times;
- There is concern that parents from Southdown may attempt to access the school site by car from the other side of Harpenden, increasing the volume of traffic on Leasey Bridge Lane/Cherry Tree Lane, which is a narrow single-track road with passing places already close to gridlock

at peak times. Previous HCC studies have highlighted the road is unsuitable for increased levels of traffic. The planning application does not mentions 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

<u>Recommended conditions</u>

<u>Pre-commencement</u>

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 3250m3. 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 3200m3 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 1932m3 which include permeable paving (440m3), swale (30m3) and an attenuation tank (1462m3). 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:

<u>Pre-commencement conditions</u>

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 x 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 1932m3 (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 3250m3
  - Permeable paving 440m3
  - Swale 30m3
  - Attenuation Tank 1462m3
  - Sport Pitch 1 870m3
  - Sport Pitch 2 1886m3
  - Sport Pitch 3 2198m3
  - MUGA 372m3
    Total 10,508 m3

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 (30th 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 207) 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.

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.

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 or 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 and 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 been 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 old 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, concentred on The Kimptons, typically generate 50 pupils. Redbourn typically generate 2.5FE. Flamstead and Markyate generate1.5FE;
- 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 20th 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 to the final planning of places. The recommendations were fully accepted by HCC but there is no mention of the need for more granular modelling in the St Albans and Harpenden EPAs in either in the Meeting the Rising Demand for School Places report of 2009 or the consultation response to SADC in 2010 (as part of the local plan process) which sought to justify the need for a new secondary school in the Harpenden EPA;
- The HCC scrutiny report (published in 2011 - too late for the St Albans process) identified HCC's preference for secondary schools between 6 and 10FE , but acknowledged smaller schools of 4-6FE should not be discounted;
- HCC 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.

<u>Demand for Secondary School Places in the Harpenden EPA</u>

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
No of FE		**-4.4**	**-6.2**	**-5.3**	**-5.3**	**-6.7**	**-5.0**	**-4.8**	**-3.3**	**-2.2**	**-3.6**
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 placed required in each EPA.

9.28 The published Government guidance[6] 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

[6] 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 6th 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 abnormals 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[7] – 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

[7] 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 by 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:

large adverse effects in terms of

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

moderate adverse effects in terms of

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

no adverse effects in terms of

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

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 - ▪ current land value ▪ likely total acquisition costs (CPO); ▪ complexity of ownership	construction considerations - ▪ site preparation; ▪ site flows; ▪ construction; ▪ residential amenity
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.

<u>Evaluation</u>

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 Wheathmpstead, 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 Wheathmpstead 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 he 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
TOTAL	**1,148**	**100**
Distance from school		
Less than 2km	292	(25.4%)
Between 2 and 5 km	442	(38.4%)

Over 5km		(36.2%)

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 Piggosthill 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	**35.5**	**408**		Bus	**56.5**	**649**
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 85th 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 averse 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 complaint 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 3200m3 would be required for the 1 in 30 year rainfall event. The infiltration basin has been designed to provide a total storage volume of 3250m3. 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 LFFA 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 1932m3 attenuation storage through a combination of permeable paving (440m3), swale (30m3) and an attenuation tank (1462m3) 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 able adequately proposals to manage the overland flow route for the 1 in 30 year rainfall.

9.138 The proposal provides 3250m3 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

<u>Archaeology</u>

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[8]

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

[8] 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)[9] 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:

[9] 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 2nd (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[10].

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[11].

9.197 The relationship between noise levels and the impact on those affected will depend on how various factors combine in any particular situation[12], 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 7th 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

[10] The NPPF: Paragraph 123
[11] National Planning Guidance: Noise: Paragraph: 003 Reference ID: 30-003-20140306
[12] 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_{10} and $PM_{2.5}$) and nitrogen dioxide (NO_2). The Air Quality Impact Assessment (August 2017) submitted with the application considers transport related air pollutants – Nitrogen Dioxide (NO_2) and particulates (PM_{10}).

9.204 St Albans City and District measure NO_2 concentrations in 37 locations including three in the Harpenden area. Table 11 shows the recorded levels of NO_2 at the three monitoring locations in Harpenden.

Table 11: Recorded levels: NO_2 annual mean concentrations ($\mu g Im^{-3}$)

	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_{10} 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_2 and PM_{10}.

Table 12: mean NO_2 and $PM_{10:}$ concentration (1) for the Harpenden area: (2) modelled (adjusted) at the site level.

1. Average NO_2 and PM_{10} ($\mu g Im^{-3}$) per km^2 for Harpenden (Defra)		
	Nitrogen Dioxide (NO_2)	Particulates (PM_{10})
Year		
2014	16.65	15.21
2017	14.87	14.73
2025	12.09	14.19
2. Modelled (adjusted) annual mean concentrations ($\mu g Im^{-3}$) 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 ($\mu g Im^{-3}$)	40	40

Notes:

1. NAQS objectives - to be achieved by 31st December 2004;
2. 2014 = Base year; 2017 = opening year; 2025 = future year;
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).
4. Reductions in annual mean NO2 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[13]
5. All adjusted modelled concentrations are below the National Air Quality Standard objectives

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

[13] 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 9th (last) of all sites.

9.209 The level of traffic related air pollution (NO_2/PM_{10}) 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 =2nd (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 queuing 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 1in 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 with 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 Lutron 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 x 10-5 m/s in accordance with BRE Digest 365 to be achieved which if not achieved may mean that an alternative discharge strategy will need to be considered for the management of the overland flow and surface water run-off from the development. If this cannot be achieved a revised drainage strategy will need to be submitted to and approved by the Local Planning Authority.

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

Final detailed site drainage strategy based on updated infiltration tests.

31. The development hereby permitted shall not be commenced until the final detailed site drainage strategy based on updated infiltration tests has been submitted and approved in writing by the Local Planning Authority. The scheme shall be based on the approved Flood Risk Assessment carried out by MLM reference FS0448-MLM-ZZ-XX-RP-C-9100 Rev P05 dated

January 2018 and the mitigation measures as detailed within the surface water drainage strategy. The scheme shall include:

1. Providing a minimum attenuation volume of 1932m3 (excluding MUGA and pitches) to ensure no increase in surface water run-off volumes from the development for all rainfall events up to and including the 1 in 100 year + climate change event.
2. Limiting the surface water run-off to a maximum of 7.1l/s with discharge into the infiltration basin for the 1 in 100 year event.
3. Undertake the drainage strategy to include to the use permeable paving, swales, and an attenuation tank and infiltration basin as indicated on the drainage drawing FS0448-MLM-ZZ-XX-DR-C-9013 Rev P04.
4. Confirmation of which SuDS features will be infiltrating and specific infiltration rates for each feature.
5. Exploration of opportunities for above ground features reducing the requirement for any underground storage.
6. All calculations, modelling and drain down times for all storage features.
7. Full detailed engineering drawings including cross and long sections and all components of the scheme, pipe runs etc. this should be supported by a clearly labelled drainage layout plan showing pipe networks. The plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
8. Silt traps for protection for any residual tanked elements.
9. Details of final exceedance routes, including those for an event which exceeds to 1:100 + cc rainfall event.

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

Confirmation of final overland flow management arrangements

32. The development hereby permitted shall not be commenced until details of final design of the overland flow management arrangements have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on Appendix H – Offsite Runoff Diversion & Infiltration Basin and drawings FS0448-MLM-ZZ-XX-DR-C-9013 Rev P04 and FS0448-MLM-ZZ-XX-DR-C-9105 Rev P01.
    The information should also include:
    1. Detailed assessment of the catchment area and characteristics and modelling of flows for the 1:30, 1:100, and 1:100 + 40% for climate change events.
    2. Updated catchment modelling and include assessment of residual flows coming down Common Lane impact upon the safe access and egress from the school site.
    3. Details of any exceedance routes including exceedance flooding in the vicinity of the site which may arise from the channelling of the flow route to the basin.

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

Final design and engineering details regarding the surface water ditch

33. The development hereby permitted shall not be commenced until details of final design and engineering details regarding the surface water ditch have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on drawings on FS0448-MLM-ZZ-XX-DR-C-9106 Rev P01 and FS0448-TLP-ZZ-XX-DR-L-0121 Rev 2.
The information should include:
    1. All modelling of the channel and the supporting calculations for the surface water run-off ditch should be provided to support the proposed scheme.
    2. Definition of any residual impact on Lower Luton Road for events over 1 in 30 return period.
    3. Details of the impact of the flows from the ditch on the infiltration basin
    4. Details of storage volumes within the ditch, including any flood event hydrographs to show the speed of flow.
    5. Longitudinal bed profile and cross sections, plus detailed drawings of culverts/structures that could affect the flow.

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

Management of surface water during construction

34. The development hereby permitted shall not be commenced until a construction management plan to address all surface water runoff and flooding issues during the construction stage has been submitted to and approved in writing by the Local Planning Authority. The management plan should include the following:
    1. Timeframes for construction activity and explanation of any phasing approach to the construction.
    2. Final plan for the management of surface run-off during any construction activity on the site to prevent flooding to the site or any disruption to the Lower Luton Road.

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

Implementation principles

35. Prior to occupation of the site the development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment carried out by MLM reference FS0448-MLM-ZZ-XX-RP-C-9100 Rev P05 dated January 2018 and the following mitigation measures as detailed within the surface water drainage strategy:
    1. Implementing the appropriate drainage strategy based on infiltration using appropriate above ground SuDS measures as indicated on drainage strategy drawing FS0448-MLM-ZZ-XX-DR-C-9100 Rev 05.

2. Implement appropriate measures to manage the overland flow route up to the 1 in 30 year event incorporating a surface water diversion ditch and infiltration basin to attenuate and manage the flows.
3. Limiting the surface water run-off to the infiltration basin to a maximum of 7.1l/s for the 1 in 100 year + climate change critical storm event so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site. The following discharge rates should be provided as the maximum for each development area:

    - Discharge from all Sports Pitches/MUGA restricted to 2l/s into the school surface water drainage network.
    - Discharge from the remainder of the School site restricted to 5.1l/s into infiltration basin.

4. Providing storage to ensure that there is no increase in surface water run-off volumes for all rainfall events up to and including the 1 in 100 year + 40% climate change event. The following minimum volumes (or such storage volume agreed with the LPA) should be provided for each development area:

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

    Total 10,508 m3

    The mitigation measures shall be fully implemented prior to full site occupation and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.
    Reason: to ensure the risk of flooding during the construction phase is minimised, in accordance with Policy 7 of the Hertfordshire Lead Local Flood Authority SuDS Policy Statement March 2017

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

36. Prior to occupation of the site, a detailed drainage strategy for the sports pitches and any landscaped areas on the site must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
1. A maximum discharge of 2 l/s from all pitches to the school surface water drainage network. This will also require provision of the minimum storage provisions with locations to be detailed on the final plan.

2. Final design for the drainage of the sports pitches including the locations of any storage features and any control structures to manage the run-off and final engineering drawings.
3. Final runoff rates and storage volumes.
4. Details of the final discharge location and means of conveyance for residual flows to the basin.
   Reason: to ensure the risk of flooding during the construction phase is minimised, in accordance with Policy 7 of the Hertfordshire Lead Local Flood Authority SuDS Policy Statement March 2017

Completion and sign off for drainage system (possibly phased)

37. Upon completion of each phase of the drainage works, a 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[14] 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

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

The measures set out in the energy balance statement approved by the local planning authority shall be implemented prior to the full occupation of the school, and in any event not later than 2025.
Reason: to develop the available opportunities to harness improvements against the baseline Target Emission Rate for carbon dioxide emissions set out in Building Regulations; in accordance with Neighbourhood Plan policy ESD15 (Carbon Dioxide Emissions).

Informative(s)

(a) All vegetation removal shall be take place outside of the bird nesting season March to October unless it has been inspected by a qualified/ experienced ecologist within 48 hours of removal;

(b) The design of the grass cricket wicket should consider relevant guidance i.e. ECB TS6 document on performance standards for non-turf cricket pitches for outdoor use

(c) Due to the nature of the development site, the LLFA wish to be notified of phases of the construction activity and appropriate arrangements to be made for inspections of the completed drainage features. Details regarding timeframes should be provided of the works to the surface water diversion ditch and when these are likely to commence in relation to the development.