

## PLANNING COMMITTEE – 24 FEBRUARY 2022

### PART I – DELEGATED

11. **21/2772/FUL - Variation of Conditions 1 (Approved Plans), 2 (Landscaping (Permanent Access), 3 (Landscape Management Plan), 4 (Habitat Management Plan), 7 (SuDS Maintenance (On Site Works), 8 (SuDS Maintenance (Off Site Works), 9 (Boundary Treatments), 10 (Car Park Management Plan), 11 (Access), 12 (Travel Plan) and 14 (Delivery and Servicing Plan) of planning permission 21/1890/FUL to provide a permanent access from Uxbridge Road at THE REACH FREE SCHOOL, LONG LANE, MILL END, HERTFORDSHIRE, WD3 8AB (DCES)**

Parish: Non-Parished

Ward: Penn & Mill End

Expiry of Statutory Period: 07.03.2022

Case Officer: Claire Westwood

Recommendation: That conditions 1 (Approved Plans), 2 (Landscaping (Permanent Access), 3 (Landscape Management Plan), 4 (Habitat Management Plan), 7 (SuDS Maintenance (On Site Works), 8 (SuDS Maintenance (Off Site Works), 9 (Boundary Treatments), 10 (Car Park Management Plan), 11 (Access), 12 (Travel Plan) and 14 (Delivery and Servicing Plan) be VARIED and that PLANNING PERMISSION IS GRANTED.

Reason for consideration by the Committee: Called-in by 3 Members of the Planning Committee on the following grounds: Proposal does nothing to alleviate the 'stacking of vehicles' on the A412, (all stationary with engines running) it merely moves it to a more dangerous and inconvenient place; It continues with one entrance being used for pupils (pedestrians) and vehicles, against all current advice; It still requires teaching staff to 'police' the traffic; It does not relocate the bus stops or improve the junction with Springwell Lane, both part of the original plan; and it is not "future proofed" and is totally inadequate for when the site expands.

#### **1 Relevant Planning History**

- 1.1 16/1523/FUL - Construction of a new secondary school incorporating construction of a two storey academic building sports hall field bund car parking and roundabout to facilitate access. Permitted 20.12.16, implemented.
- 1.2 18/0261/FUL - Variation of Condition 17 (Access) of planning permission 16/1523/FUL to provide a temporary access from Uxbridge Road for a period of approximately one academic year (until 31st August 2019), whilst construction works take place to complete the permanent access arrangements at the junction of the A412 Uxbridge Road with Long Lane. Permitted 20.04.18.
- 1.3 Various discharge of conditions applications pursuant to planning permissions 16/1523/FUL and 18/0261/FUL.
- 1.4 19/1300/FUL - Variation of Condition 18 (Access) of planning permission 18/0261/FUL to provide continued temporary access from Uxbridge Road for a period of approximately two academic years (until 31st August 2021). Permitted 7.10.19.
- 1.5 20/1561/FUL - Installation of a new floodlighting system to the existing multi use games area at the school including the installation of lighting columns. Permitted 30.12.2020, implemented.
- 1.6 21/1890/FUL - Variation of Conditions 1 (Approved Plans) and 14 (Access) of planning permission 19/1300/FUL to provide continued temporary access from Uxbridge Road for a period of approximately one academic year (until 31st August 2022). Permitted 26.10.2021.

- 1.7 21/2771/NMA - Non material amendment to planning permission 16/1523/FUL: To allow for the omission of reference to a new roundabout from the development description. Permitted 29.12.2021.

## **2 Description of Application Site**

- 2.1 The site is located to the west of Rickmansworth on former agricultural land adjacent to the Uxbridge Road (A412) and the North Orbital Road (A405) which connects Uxbridge Road to the M25 at junction 17. The site is situated approximately 2km to the west of Rickmansworth Town Centre.
- 2.2 The application site (red lined area) has an area of approximately 6.15 hectares and includes part of Uxbridge Road and Long Lane. The wider site measures approximately 19.6 hectares and has been allocated for primary and secondary education provision in the Site Allocations LDD (adopted November 2014). The allocation is for the site to accommodate the provision of the equivalent of an 8 form entry (8fe) secondary school and a 2 form entry (2fe) primary school within the 5 hectares in the eastern part of the site. The existing Reach School is a 4fe secondary school. As part of the site allocation process part of the wider site was taken out of the Metropolitan Green Belt. This area to the south and closest to the Uxbridge Road has been allocated as a Build Zone. However, a strip of land aligning the western site boundary and northern part of the wider site remain in the Green Belt.
- 2.3 Adjacent to the boundaries of the wider site is arable land to the north, a residential area to the east, Uxbridge Road (A412) to the south, with Stockers Lake Nature reserve to the south east with arable land to the west of it. A commercial estate including Renault and Nissan offices is located to the south west with a notable series of lakes.
- 2.4 There is a wildlife site aligning the southern boundary of the site. There are no significant trees within the Build Zone; however, there are a limited number of trees to the site boundaries including some to Long Lane that are afforded protection by a Tree Preservation Order. Some trees were removed following the grant of planning permission 16/1523/FUL.

## **3 Description of Proposed Development**

- 3.1 Planning permission is sought for the 'Variation of Conditions 1 (Approved Plans), 2 (Landscaping (Permanent Access)), 3 (Landscape Management Plan), 4 (Habitat Management Plan), 7 (SuDS Maintenance (On Site Works)), 8 (SuDS Maintenance (Off Site Works)), 9 (Boundary Treatments), 10 (Car Park Management Plan), 11 (Access), 12 (Travel Plan) and 14 (Delivery and Servicing Plan) of planning permission 21/1890/FUL to provide a permanent access from Uxbridge Road'.
- 3.2 Planning permission 16/1523/FUL granted consent subject to conditions, for the construction of a new secondary school incorporating construction of a two storey academic building; ancillary sports hall and facilities; playing fields and landscaping bund; together with new car parking areas; drop-off and related highway works including a new roundabout to facilitate access.
- 3.3 Condition 17 of that consent required details of the proposed access arrangements to be submitted to and approved in writing by the Local Planning Authority, with the approved details constructed prior to the development being brought into use. This condition was varied (ref. 18/0261/FUL) in April 2018 to provide a temporary access from Uxbridge Road for a period of approximately one academic year (until 31<sup>st</sup> August 2019), whilst construction works took place to complete the permanent access which would have been via the new roundabout.
- 3.4 The temporary access was constructed and has been in operation since the opening of the School in September 2018.

- 3.5 A minor material amendment application (ref. 19/1300/FUL) was granted in October 2019 to extend the use of the temporary access for a period of approximately two academic years until 31 August 2021. A further minor material amendment application (ref. 21/1890/FUL) was granted in October 2021 to extend the use of the temporary access for a further year until 31 August 2022.
- 3.6 A non-material amendment application (ref. 21/2771/NMA) was permitted in December 2021 to omit reference to a new roundabout from the development description.
- 3.7 The current application proposes a permanent access arrangement for the school site with the necessary planning conditions from the original scheme varied to support this.
- 3.8 The application proposes changing how the existing main point of access to the site from Uxbridge Road works, to allow access to the site from both directions, and only allow right turns from the site onto Uxbridge Road (ie toward the west). Left turns out of this access would be prohibited. A new 'exit only' access onto Long Lane is proposed which will allow vehicles to turn left onto Uxbridge Road. A minor widening of Uxbridge Road is proposed to facilitate this. A new right turn lane will be added to the Uxbridge Road to allow access from the east into the school.
- 3.9 New cycleway and pedestrian footways are proposed to enhance sustainable transport modes to and from the site. Additional landscaping enhancements are also proposed.
- 3.10 Condition 1 (Approved Plans) is proposed to be updated to reflect the updated access plans.
- 3.11 Condition 2 (Landscaping – Permanent Access) is proposed to be updated as details of landscaping are included with the current application.
- 3.12 Condition 3 (Landscape Management Plan) is proposed to be updated to reflect the submission as part of this current application, of an updated Landscape Management Plan.
- 3.13 Condition 4 (Habitat Management Plan) is proposed to be updated to reflect the submission as part of this current application, of an updated Habitat Management Plan to reflect the new access works.
- 3.14 Condition 7 (SuDS Maintenance (On Site Works)) is proposed to be amended to reflect the revised drainage details provided to reflect the permanent access arrangements.
- 3.15 Condition 8 (SuDS Maintenance (Off Site Works)) is proposed to be amended to reflect reference to the correct off-site drainage strategy following the variation of condition 7.
- 3.16 Condition 9 (Boundary Treatments) is proposed to be amended to reflect the new/amended boundary treatments proposed around the new permanent access.
- 3.17 Condition 10 (Car Park Management Plan) is proposed to be updated to reflect the submission as part of this current application, of an updated Car Park Management Plan.
- 3.18 Condition 11 (Access) is proposed to be updated as the details of the permanent access arrangements are provided with this current application.
- 3.19 Condition 12 (Travel Plan) is proposed to be updated to reflect the submission as part of this current application, of an updated Travel Plan.
- 3.20 Condition 14 (Delivery and Servicing Plan) is proposed to be updated to reflect the submission as part of this current application, of an updated Service and Delivery Plan.

## 4 Consultation

### 4.1 Statutory Consultation

#### 4.1.1 Hertfordshire County Council – Highway Authority: [No objection]

Notice is given under article 18 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 that the Hertfordshire County Council as Highway Authority does not wish to restrict the grant of permission subject to the following conditions:

##### **Variation of Condition 11**

The proposed site access arrangements from Uxbridge Road and long Lane, as indicated on the approved in-principle plan (Drg No: ST-2988-700) shall be implemented in accordance with the technical approval of the Highway Authority, and retained thereafter available for that specific use.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

##### **Variation of Condition 12**

An updated School Travel Plan shall be submitted to the County Council for approval in accordance with the 'Hertfordshire County Council Travel Plan Guidance, Mar 2020'. The School shall submit the Modeshift STARS – National Accreditation Scheme and, with the support of Hertfordshire County Council officers, shall undertake best practicable endeavours to promote and increase levels of sustainable and active travel in order to improve the health and wellbeing of children and young people, as well as reduce local highway impacts arising from pick up / drop off. Within six calendar months, the School Travel Plan shall achieve a minimum of bronze status under and in accordance with the Modeshift STARS Accreditation Framework, maintaining a minimum accreditation of bronze for 7 years. The travel plan will be up-dated annually for the lifetime of the school and will include objectives, targets, planned and completed initiatives. The role of Travel Plan Champion shall be created and the responsibility for adhering to the above travel plan requirements shall sit within that role.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

##### **Variation of Condition 10**

The Parking Management Plan produced by Stomor (dated 2nd Dec 2021 shall be adhered to at all times.

Reason: To ensure all vehicles accessing and using the site do so safely and conveniently, causing no conflict with other vehicles or site users in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

##### **Variation of Condition 14**

The development shall be carried out in strict accordance with the Delivery and service Plan (Stomor, reference: ST2988/DSP-2021 Rev O dated Nov 2021).

Reason: In the interest of maintaining highway efficiency and safety in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

## **ADVISORY NOTES**

#### General works within the highway (simple) - construction standards

AN1) Construction standards for works within the highway: All works to be undertaken on the adjoining highway shall be constructed to the satisfaction and specification of the Highway Authority, by an approved contractor, and in accordance with Hertfordshire County Council's publication "Roads in Hertfordshire – Highway Design Guide 126 (2011)". Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

#### General works within the highway (major/s278) - construction standards

AN2) Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-inf>

ormation/development-management/highways-development-management.aspx or by telephoning 0300 1234047.

#### Storage of materials

AN3) Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

#### Obstruction of the highway

AN4) Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

#### Mud on highway

AN5) Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

## Comments:

The views of the Highway Authority are sought on the variation of Conditions relating to application ref: 21/1890/FUL, which was granted permission on 26 October 2021. The alterations relate to proposed new permanent access to the school site.

The planning permission for the construction of The Reach Free School was granted on 22 December 2016. Subsequently, the use of a temporary operational access from Uxbridge Road was approved on 20 April 2018 for a period of approximately one year (until 31st August 2019). Further 1-year extensions were granted to this use until 31 August 2021 and 31 August 2022 respectively, to allow the applicant to complete the design and commission permanent access arrangements to the entire site.

The School is currently operational and accessed by a temporary signalised junction off Uxbridge Road. The Applicant's consultants 'Stomor' have been proactive in discussions with the Highway Authority on options available to agree a permanent solution to the school access. Initially, seven access options were submitted for Highway Authority's consideration. Following a detailed review of Junction modelling (LINSIG) capacity and safety assessments, these options were reduced to three.

Further work was undertaken to ensure the final scheme design accords with County Council's Local Transport Plan (LTP4), and it accommodates better walking and cycling facilities. This has now been completed. Accordingly, the final design is considered acceptable in-principle. The scheme implementation will be undertaken following technical approval to ensure satisfactory development. Bearing this in mind, an appropriate condition has been recommended to vary condition 11.

For condition 12, the County's Travel Plan team was consulted on the submitted Travel Plan (TP) document. Section 1.6 of the TP refers to Modeshift STARS as Mode Share STARS and says that the school are "currently transitioning its travel plan over to the Mode Share STARS website". However, it has been pointed that the Sustainable Travel Officer that covers the area has tried to engage with the school on numerous occasions to support them with their TP. The school appears to be not willing to engage on this matter. Therefore, an appropriate condition has been recommended accordingly.

For Condition 10 (Car Park Management Plan) and 14 (Servicing and Delivery Plan), the submitted documents are acceptable. Therefore, conditions have been recommended accordingly.

4.1.2 HCC Lead Local Flood Authority: No response received.

4.1.3 Herts Ecology: No response received.

4.1.4 National Grid: No response received.

4.1.5 National Highways: [No objection]

Referring to the consultation on a planning application dated 6 December 2021 referenced above, in the vicinity of the M25 Junction 17 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we offer no objection.

4.1.6 Landscape Officer: No response received.

4.1.7 Herts and Middlesex Wildlife Trust: No response received.

4.1.8 TRDC Traffic Engineer: No response received.

## **4.2 Public/Neighbour Consultation**

4.2.1 Number consulted: 213

4.2.2 No of responses received: 9 (4 objections, 2 neutral, 3 support)

4.2.3 Site Notice: Expired 7 January 2022.

4.2.4 Press Notice: Expired 4 February 2022.

4.2.5 Summary of Responses:

4.2.5.1 Objections:

Whilst I am happy there is no roundabout I object to opening access to Long Lane; Concerns for student and pedestrian safety; The existing access works so why does it need to be changed; Proposal will result in stop start traffic; The right filter lane is inadequate; Cars currently turn right when it is restricted; Object on highways safety grounds; Plans ill thought-out; Would object to moving bus stop; Roundabout would not be cost effective.

4.2.5.2 Support:

Positive that the flow of traffic on A412 will be interrupted as this will reduce vehicle speed; Landscaping appears to be of high quality; Temporary solution has not fully met needs of local residents or the school community; Will improve situation for cyclists.

4.2.6 Neutral:

Preferred option would be to make temporary arrangements permanent; is it necessary to make access to Long Lane one-way?

## **5 Reason for Delay**

5.1 No delay.

## **6 Relevant Planning Policy, Guidance and Legislation**

6.1 National Planning Policy Framework and National Planning Practice Guidance

6.2 In July 2021 the revised NPPF was published, to be read alongside the online National Planning Practice Guidance. The 2021 NPPF is clear that "existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework.

6.3 The Three Rivers Local Plan

The application has been considered against the policies of the Local Plan, including the Core Strategy (adopted October 2011), the Development Management Policies Local Development Document (adopted July 2013) and the Site Allocations Local Development Document (adopted November 2014) as well as government guidance. The policies of Three Rivers District Council reflect the content of the NPPF.

The Core Strategy was adopted on 17 October 2011 having been through a full public participation process and Examination in Public. Relevant policies include Policies PSP2, CP1, CP6, CP8, CP9, CP10, CP11 and CP12.

The Development Management Policies Local Development Document (DMLDD) was adopted on 26 July 2013 after the Inspector concluded that it was sound following

Examination in Public which took place in March 2013. Relevant policies include DM2, DM4, DM6, DM7, DM8, DM9, DM10, DM11, DM12, DM13 and Appendix 5.

The Site Allocations Local Development Document (SALDD) was adopted on 25 November 2014 having been through a full public participation process and Examination in Public. Policy SA3 and Site S(a) are relevant.

#### 6.4 Other

The Community Infrastructure Levy (CIL) Charging Schedule (adopted February 2015).

The Localism Act received Royal Assent on 15 November 2011. The growth and Infrastructure Act achieved Royal Assent on 25 April 2013.

The Wildlife and Countryside Act 1981 (as amended), the Conservation of Habitats and Species Regulations 2010, the Natural Environment and Rural Communities Act 2006 and the Habitat Regulations 1994 may also be relevant.

Hertfordshire's Local Transport Plan (adopted 2018).

### **7 Planning Analysis**

#### 7.1 Introduction / Principle of Development

7.1.1 Planning permission 16/1523/FUL granted consent subject to conditions, for the construction of a new secondary school incorporating construction of a two storey academic building; ancillary sports hall and facilities; playing fields and landscaping bund; together with new car parking areas; drop-off and related highway works including a new roundabout to facilitate access.

7.1.2 A condition on that consent required details of the proposed access arrangements to be submitted to and approved in writing by the Local Planning Authority, with the approved details constructed prior to the development being brought into use, however, the condition was varied to provide a temporary access whilst the permanent access was agreed and completed. The temporary access was constructed and has been in operation since the opening of the School in September 2018. The current application proposes a permanent access arrangement for the school site with the necessary conditions varied to support this.

7.1.3 The current application relates solely to the variation of conditions 1 (Approved Plans), 2 (Landscaping (Permanent Access), 3 (Landscape Management Plan), 4 (Habitat Management Plan), 7 (SuDS Maintenance (On Site Works), 8 (SuDS Maintenance (Off Site Works), 9 (Boundary Treatments), 10 (Car Park Management Plan), 11 (Access), 12 (Travel Plan) and 14 (Delivery and Servicing Plan) of planning permission 21/1890/FUL to provide a permanent access from Uxbridge Road. No other changes to the development are proposed.

7.1.4 As such, the following analysis focuses solely on the acceptability or otherwise of the proposed variation of these conditions

#### 7.2 Highways Considerations

7.2.1 Policy CP1 of the Core Strategy (adopted October 2011) advises that in ensuring all development contributes to the sustainability of the District, it is necessary to take into account the need to reduce the need to travel by locating development in accessible locations and promoting a range of sustainable transport modes.



- 7.2.2 Policy CP10 (Transport and Travel) of the Core Strategy (adopted October 2011) advises that all development should be designed and located to minimise the impacts of travel by motor vehicle on the District. Development will need to demonstrate that:
- i) It provides a safe and adequate means of access*
  - j) It is appropriate in scale to the existing infrastructure...*
  - k) It is integrated with the wider network of transport routes...*
  - l) It makes adequate provision for all users...*
  - m) It includes where appropriate, provision for public transport either within the scheme or through contributions*
  - n) The impact of the proposal on transport has been fully assessed...*
  - o) The proposal is accompanied by a draft Green Travel Plan*
- 7.2.3 The current temporary access arrangements accommodate traffic flows associated with the existing 4fe secondary school. However, in order that the site can accommodate the required education provision over the plan period, it is necessary that proposed permanent highways works are able to demonstrate that they can accommodate the projected traffic flows from an 8fe secondary school and a 2fe primary school or that they can be adapted to do so in the future.
- 7.2.4 The original planning application (ref. 16/1523/FUL) envisaged that permanent access arrangements would take the form of a new roundabout at the junction of Long Lane and the A412 (Uxbridge Road). However, the applicant's highway consultant Stomar has been in discussions with HCC as Highway Authority (HCCHA) in relation to a number of options available to agree a permanent solution to the school access. HCCHA note that initially seven options were submitted to them for consideration, however, following a detailed review of the junction modelling (LINSIG) capacity and safety assessments, these options were reduced to three. Further work was then undertaken to ensure the final scheme design accords with policy and that it accommodates better walking and cycling facilities. HCCHA have confirmed that the final design, submitted as part of this current application, is acceptable in principle and no objection is raised. Conditions are discussed below. HCCHA also note that the scheme implementation will be undertaken following technical approval from HCCHA.
- 7.2.5 Condition 11 (Access) required details of the permanent access to be submitted. These have been provided with this application and it is therefore proposed to update condition 11 to require implementation of the approved permanent access arrangements. HCCHA have raised no objection to the variation of condition 11 to this effect.
- 7.2.6 Condition 10 (Car Park Management Plan) required the previously approved Car Park Management Plan to be adhered to at all times. The Car Park Management Plan has been updated to reflect the proposed permanent access arrangements and therefore it is proposed that the condition be updated to refer to the updated Car Park Management Plan. HCCHA raise no objection to the variation of condition 10.
- 7.2.7 Similarly, Condition 14 (Delivery and Servicing Plan) required the previously approved Delivery and Service Plan to be adhered to at all times. The document has been updated to reflect the proposed permanent access arrangements and therefore it is proposed that the condition be updated to refer to the updated Delivery and Servicing Plan. HCCHA raise no objection to the variation of condition 14.
- 7.2.8 Condition 12 (Travel Plan) requires the submission of a Full Travel Plan based on the Outline School Travel Plan previously agreed. A Full Travel Plan has been submitted with the application, however, the County Council's Travel Plan Team have advised that the submitted Travel Plan does not follow the Modeshift STARS format. As such, whilst HCCHA raise no objection to the variation of condition 12, it is necessary to vary the condition to require a Modeshift STARS Travel Plan to be submitted. The school and DfE raise no objection to this condition.

- 7.2.9 In summary, HCCHA raise no objection to the proposed permanent access arrangements which demonstrate that they can accommodate the projected traffic flows from an 8fe secondary school and a 2fe primary school. As such they raise no objection to the variation of relevant conditions as discussed above.
- 7.2.10 In addition, National Highways offer no objection on the basis that they are satisfied that the proposal will not materially affect the safety, reliability and/or operation of the Strategic Road Network.
- 7.2.11 As such, no objection is raised to the variation of conditions 1 (Approved Plans), 10 (Car Park Management Plan), 11 (Access), 12 (Travel Plan) and 14 (Delivery and Servicing Plan) of planning permission 21/1890/FUL to provide a permanent access from Uxbridge Road.

### 7.3 Character, Trees & Landscaping

- 7.3.1 In ensuring that all development contributes to the sustainability of the District, Policy CP12 of the Core Strategy (adopted October 2011) advises that development proposals should:
- i) Ensure that development is adequately landscaped and is designed to retain, enhance or improve important existing natural features; landscaping should reflect the surrounding landscape of the area and where appropriate integrate with adjoining networks of green open spaces.
- 7.3.2 Policy DM6 (Biodiversity, Trees, Woodlands, Watercourses and Landscaping) of the Development Management Policies LDD (adopted July 2013) advises that development proposals for new development should be submitted with landscaping proposals which seek to retain trees and other landscape and nature conservation features. Landscaping proposals should also include new trees to enhance the landscape of the site and its surroundings as appropriate.
- 7.3.3 Condition 2 (Landscaping – Permanent Access) required details of a scheme of hard and soft landscaping in association with details of the permanent access arrangements. It is proposed to amend the condition as details of the proposed landscaping have been submitted with the application. The submitted details are considered acceptable and will enhance the setting of the school and soften the visual impact of the proposed highways works.
- 7.3.4 Condition 3 (Landscape Management Plan) required the development to be maintained in accordance with the previously approved Landscape Management Plan. An updated Landscape Management to reflect changes to the access area has been provided and it is proposed to update the condition to reflect this.
- 7.3.5 Boundary treatments were previously agreed, however, amendments are proposed in association with the permanent access works. Metal fencing with round vertical bars (1.8 metres in height) with matching gates/posts are proposed to both the Uxbridge Road and Long Lane accesses. In the case of Uxbridge Road, the fencing/gates are set back from the junction. Timber post and rail fencing is also proposed around the parcel of land between the two access points. The boundary treatments proposed are considered appropriate for the site and its use. They would not appear prominent and would be softened by associated landscaping, details of which are to be agreed.
- 7.3.6 The development is considered acceptable in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

### 7.4 Residential Amenity

- 7.4.1 Policy CP12 of the Core Strategy (adopted October 2011) states that the Council will expect development proposals to protect residential amenities.

- 7.4.2 The impact of the proposed development on residential amenity was fully assessed under planning application 16/1523/FUL which was found to be acceptable subject to conditions which would be reattached (varied as appropriate) in the event of planning permission being granted.
- 7.4.3 Whilst it is acknowledged that there may be some disturbance/inconvenience during construction, it is not considered that the proposed permanent access works would result in demonstrable harm. It is noted that a Full Travel Plan is required by condition to assist in minimising any impact both on the highway network and existing residents.
- 7.4.4 A degree of soft landscaping has been introduced to date alongside the temporary access to soften the appearance of the development site as a whole and further landscaping is required as part of the permanent access arrangements and will be secured via condition.

## 7.5 Wildlife & Biodiversity

- 7.5.1 Section 40 of the Natural Environment and Rural Communities Act 2006 requires Local Planning Authorities to have regard to the purpose of conserving biodiversity. This is further emphasised by regulation 3(4) of the Habitat Regulations 1994 which state that Councils must have regard to the strict protection for certain species required by the EC Habitats Directive. The Habitats Directive places a legal duty on all public bodies to have regard to the habitats directive when carrying out their functions.
- 7.5.2 Policy DM6 of the Development Management Policies LDD (adopted July 2013) requires that development conserves, enhances, and where appropriate, restores biodiversity.
- 7.5.3 Planning application 16/1523/FUL was accompanied by a Local Biodiversity Checklist and Ecological Impact Assessment. In addition, following amendments during the course of the application, an Environmental Addendum was provided to address the impact of amendments on ecology.
- 7.5.4 The impact of the development on wildlife and biodiversity was therefore fully considered and no objection was raised subject to conditions including in relation to the submission of a Construction Environment Management Plan and Habitat Management Plan. These documents have since been submitted and approved pursuant to conditions of the original consent. It is necessary to amend condition 4 (Habitat Management Plan) to include reference to the updated Habitat Management Plan submitted as part of this application which reflects the new access works.
- 7.5.5 Subject to compliance with the Habitat Management Plan, it is not considered that the proposed variation of condition would result harm to wildlife or biodiversity and the proposal would be acceptable in this regard.

## 7.6 Flooding, Drainage & Contamination

- 7.6.1 Flooding, drainage and contamination were fully assessed as part of the original application 16/1523/FUL and no objection was raised subject to a number of planning conditions. The drainage strategy has not changed and the conditions remain applicable, however, it is necessary to vary conditions 7 (SuDS Maintenance (On Site Works)) and 8 (SuDS Maintenance (Off Site Works)) in order to omit reference to the roundabout on the plans.

## 7.7 Conclusion

- 7.7.1 In summary, for the reasons set out above no objection is raised to the variation of conditions 1 (Approved Plans), 2 (Landscaping (Permanent Access)), 3 (Landscape Management Plan), 4 (Habitat Management Plan), 7 (SuDS Maintenance (On Site Works)), 8 (SuDS Maintenance (Off Site Works)), 9 (Boundary Treatments), 10 (Car Park

Management Plan), 11 (Access), 12 (Travel Plan) and 14 (Delivery and Servicing Plan) of planning permission 21/1890/FUL to provide a permanent access from Uxbridge Road. No other changes to the development are proposed.

- 7.7.2 An additional condition (C17) is required in order to secure an updated Landscape Management Plan that reflects the landscaping details to be agreed pursuant to condition 2.

## **8 Recommendation**

- 8.1 That PLANNING PERMISSION BE GRANTED subject to the following conditions:

### **C1 Plan Numbers**

The development hereby permitted shall be carried out in accordance with the following approved plans:

82-01-D101-Rev A  
82-01-D102-Rev A  
ADP-00-00-DR A-1010 N  
ADP-00-01-DR A-1011 N  
ADP-00-02-DR A-1012 K  
ADP-00-ZZ-DR A-1200 H  
ADP-00-ZZ-DR A-1201 C  
ADP-00-XX-DR A-0400 E  
ADP-00-XX-DR A-0401 E  
ADP-00-ZZ-DR A-1202 C  
ADP-00-ZZ-DR A-1203 C  
ADP-00-ZZ-DR A-1300 E  
ADP-00-ZZ-DR A-1301 H  
ADP-00-ZZ-DR A-1305 C  
ADP-00-ZZ-M3 A-1663 C  
ADP-00-ZZ-M3 A-1664 C  
ADP-00-ZZ-M3 A-1666 B  
08-18-D1 (Existing Vegetation)  
082-01-D103 (Planting Plan – Boundary/Highway Planting to Uxbridge Road and Long Lane)  
082-01-D104 (Planting Schedule & Details – Boundary/Highway Planting, Plant Schedules and Details)  
82-01-D105 Rev 00 (Boundary Treatment)  
ST-2988-700 (General Highways Arrangement)  
ST-2988-502 (Drainage Layout)

Reason: For the avoidance of doubt, in the proper interests of planning and in accordance with Policies PSP2, CP1, CP8, CP9, CP10, CP11 and CP12 of the Core Strategy (adopted October 2011), Policies DM2, DM3, DM4, DM6, DM7, DM8, DM9, DM10, DM12, DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013) and Policy SA3 of the Site Allocations Local Development Document (adopted November 2014).

### **C2 Landscaping**

The scheme of hard and soft landscaping hereby approved shall be implemented in accordance with the approved details.

All hard landscaping works required by the approved scheme shall be carried out and completed before the access is first brought into use.

All soft landscaping works required by the approved scheme shall be carried out before the end of the first planting and seeding season immediately following completion of the permanent access works.

The development shall thereafter be maintained in accordance with Landscape Management Plan (ref. 08-18-R2 B), as amended by updated Landscape Management Plan (ref. 082-01-R).

If any existing tree shown to be retained, or the proposed soft landscaping, are removed, die, become severely damaged or diseased within five years of the completion of development they shall be replaced with trees or shrubs of appropriate size and species in the next planting season (i.e. November to March inclusive).

Reason: In the interests of visual amenity in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2 and DM6 of the Development Management Policies LDD (adopted July 2013).

### C3 Landscape Management Plan

The development shall be maintained in accordance with the approved Landscape Management Plan (ref. 08-18-R2 B), as amended by updated Landscape Management Plan (ref. 082-01-R).

Reason: To ensure that the approved landscaping is satisfactorily maintained, in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2 and DM6 of the Development Management Policies LDD (adopted July 2013).

### C4 Habitat Management Plan

The Habitat Management Plan approved pursuant to condition 8 of planning permission 16/1523/FUL, LPA ref. 17/0336/DIS dated 10 April 2017 and LPA ref. 18/0120/DIS dated 3 April 2018, as amended by updated Habitat Management Plan dated 30 November 2021, v3.0 prepared by The Ecology Consultancy, shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In the interest of habitat management and to meet the requirements of Policies CP1, CP9 and CP12 of the Core Strategy (adopted October 2011) and Policy DM6 of the Development Management Policies LDD (adopted July 2013).

### C5 Lighting

Lighting shall be installed in accordance with the details approved pursuant to condition 9 of planning permission 16/1523/FUL, LPA ref. 18/0011/DIS dated 13 February 2018 and shall be maintained as such thereafter and shall not be operated other than within the agreed hours.

Reason: In the interests of visual and residential amenity and biodiversity and to meet the requirements of Policies CP1, CP9, CP11 and CP12 of the Core Strategy (adopted October 2011) and Policies DM2, DM6 and DM9 of the Development Management Policies LDD (adopted July 2013).

### C6 Drainage Strategy (Off Site Works)

No Off Site Works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the

hydrological and hydro- geological context of the development has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year + 40% for climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

1. Detailed engineered drawings of proposed SuDS features.
2. Provision of a fully detailed drainage plan showing pipe diameters, pipe runs, outlet points and location of SuDS features and supporting calculations.
3. Detailed surface water run-off and volume calculations to ensure that the site has the capacity to accommodate all rainfall events up to 1:100 year plus climate change event.
4. Details of how the scheme shall be maintained and managed after completion.

Reason: This condition is a pre commencement condition to prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM8 of the Development Management Policies LDD (adopted July 2013).

#### C7 SuDS Maintenance (On Site Works)

The Sustainable Drainage Scheme approved pursuant to condition 14 of planning permission 16/1523/FUL, LPA ref. 17/0287/DIS dated 5 April 2017, as amended by drawing ST-2988-502 and drainage strategy ST2988/DS-2021, shall be implemented and thereafter managed in accordance with the approved details.

Reason: To prevent pollution of the water environment and provide a sustainable system of water drainage and management to meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013).

#### C8 SuDS Maintenance (Off Site Works)

No Off Site Works shall take place until details of the implementation, maintenance and management of the Sustainable Drainage Scheme approved in accordance with condition C6, have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i. a timetable for its implementation, and
- ii. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: This is a pre-commencement condition to prevent pollution of the water environment and provide a sustainable system of water drainage and management to meet the requirements of Policy CP1 of the Core Strategy (adopted October 2011) and Policies DM8 and DM9 of the Development Management Policies LDD (adopted July 2013).

#### C9 Boundary Treatments

The boundary treatments approved pursuant to condition 15 of planning permission 16/1523/FUL, LPA ref. 17/0289/DIS dated 27 February 2017 as amended by drawing numbers 082-01-D105 Rev 00, 082-01-D103 and 082-01-D104, and subsequently erected, shall be permanently maintained.

Reason: To ensure that appropriate boundary treatments are proposed to safeguard the amenities of neighbouring properties and the character of the locality in accordance with Policies CP1 and CP12 of the Core Strategy (adopted October 2011) and Policy DM2 of the Development Management Policies LDD (adopted July 2013).

#### C10 Car Park Management Plan

The Car Park Management Plan produced by Stomar (dated 2<sup>nd</sup> December 2021) shall be adhered to at all times.

Reason: To ensure the appropriate operation of the car parking and drop-off areas and to meet the requirements of Policy CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

#### C11 Access

The proposed site access arrangements from Uxbridge Road and Long Lane, as indicated on the approved in-principle plan (Drg No: ST-2988-700) shall be implemented in accordance with the technical approval of the Highway Authority, and retained thereafter available for that specific use.

Reason: To ensure construction of a satisfactory development and in the interests of highway safety in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policy DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

#### C12 Travel Plan

Prior to 31 August 2022 an updated School Travel Plan shall be submitted to the County Council for approval in accordance with the 'Hertfordshire County Council Travel Plan Guidance, Mar 2020'. The School shall submit this using the Modeshift STARS – National Accreditation Scheme and, with the support of Hertfordshire County Council officers, shall undertake best practicable endeavours to promote and increase levels of sustainable and active travel in order to improve the health and wellbeing of children and young people, as well as reduce local highway impacts arising from pick up / drop off. Within six calendar months of its approval, the School Travel Plan shall achieve a minimum of bronze status under and in accordance with the Modeshift STARS Accreditation Framework, maintaining a minimum accreditation of bronze for 7 years. The travel plan will be up-dated annually for the lifetime of the school and will include objectives, targets, planned and completed initiatives. The role of Travel Plan Champion shall be created and the responsibility for adhering to the above travel plan requirements shall sit within that role.

Reason: To ensure that sustainable travel options associated with the development are promoted and maximised and to meet the requirements of Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

#### C13 Travel Plan (Temporary Access)

The Interim Travel Plan (measures for use of temporary access into school site) approved pursuant to planning application 18/0261/FUL shall be fully implemented in

accordance with the measures contained therein until such time that the temporary access has been removed.

Reason: To reduce the impact of travel and transport on the environment and to meet the requirements of Policies CP1 and CP10 of the Core Strategy (adopted October 2011).

C14 Delivery & Servicing Plan

The development shall be carried out in strict accordance with the Delivery and service Plan prepared by Stomar (Ref. ST2988/DSP-2021 Rev O dated November 2021).

Reason: In order to minimise danger, obstruction and inconvenience to users of the highway in accordance with Policies CP1 and CP10 of the Core Strategy (adopted October 2011) and Policies DM10 and DM13 and Appendix 5 of the Development Management Policies LDD (adopted July 2013).

C15 Community Use Agreement

The development shall not be used at any time other than in strict compliance with the Community Use Agreement (dated 28 September 2018) approved pursuant to condition 24 of planning permission 18/0261/FUL (LPA ref. 18/1204/DIS dated 2 October 2018).

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policy DM11 of the Development Management Policies LDD (adopted July 2013).

C16 Playing Field/MUGA Provision

The MUGA, Senior Football Pitch, Senior Rugby Union Pitch and Indoor Sports Hall shall be maintained in accordance with the details approved pursuant to condition 25 of planning permission 18/0261/FUL (LPA ref. 18/1133/DIS dated 1 August 2018).

Reason: To ensure that the playing fields/MUGA are prepared to the relevant standard and are fit for purpose and to meet the requirements of Policy DM11 of the Development Management Policies LDD (adopted July 2013).

8.2 **Informatives:**

11 With regard to implementing this permission, the applicant is advised as follows:

All relevant planning conditions must be discharged prior to the commencement of work. Requests to discharge conditions must be made by formal application. Fees are £116 per request (or £34 where the related permission is for extending or altering a dwellinghouse or other development in the curtilage of a dwellinghouse). Please note that requests made without the appropriate fee will be returned unanswered.

There may be a requirement for the approved development to comply with the Building Regulations. Please contact Hertfordshire Building Control (HBC) on 0208 207 7456 or at [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk) who will be happy to advise you on building control matters and will protect your interests throughout your build project by leading the compliance process. Further information is available at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk).



Community Infrastructure Levy (CIL) - Your development may be liable for CIL payments and you are advised to contact the CIL Officer for clarification with regard to this. If your development is CIL liable, even if you have been granted exemption from the levy, please be advised that before commencement of any works it is a requirement under Regulation 67 of The Community Infrastructure Levy Regulations 2010 (As Amended) that CIL form 6 (Commencement Notice) must be completed, returned and acknowledged by Three Rivers District Council before building works start. Failure to do so will mean you lose the right to payment by instalments (where applicable), and a surcharge will be imposed. However, please note that a Commencement Notice is not required for residential extensions IF relief has been granted.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

Where possible, energy saving and water harvesting measures should be incorporated. Any external changes to the building which may be subsequently required should be discussed with the Council's Development Management Section prior to the commencement of work.

- 12 The Local Planning Authority has been positive and proactive in its consideration of this planning application, in line with the requirements of the National Planning Policy Framework and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015. The development maintains/improves the economic, social and environmental conditions of the District.
- 13 The applicant is reminded that the Control of Pollution Act 1974 allows local authorities to restrict construction activity (where work is audible at the site boundary). In Three Rivers such work audible at the site boundary, including deliveries to the site and running of equipment such as generators, should be restricted to 0800 to 1800 Monday to Friday, 0900 to 1300 on Saturdays and not at all on Sundays and Bank Holidays.
- 14 The applicant is hereby advised to remove all site notices on or near the site that were displayed pursuant to the application.
- 15 General works within the highway (simple) – construction standards  
Construction standards for works within the highway: All works to be undertaken on the adjoining highway shall be constructed to the satisfaction and specification of the Highway Authority, by an approved contractor, and in accordance with Hertfordshire County Council's publication "Roads in Hertfordshire – Highway Design Guide 126 (2011)". Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.
- 16 General works within the highway (major/s278) - construction standards  
Construction standards for works within the highway: The applicant is advised that in order to comply with this permission it will be necessary for the developer of the site to enter into an agreement with Hertfordshire County Council as Highway Authority under Section 278 of the Highways Act 1980 to ensure the satisfactory completion of

the access and associated road improvements. The construction of such works must be undertaken to the satisfaction and specification of the Highway Authority, and by a contractor who is authorised to work in the public highway. Before works commence the applicant will need to apply to the Highway Authority to obtain their permission and requirements. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/development-management/highways-development-management.aspx> or by telephoning 0300 1234047.

17 Storage of materials

Storage of materials: The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

18 Obstruction of the highway

Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

19 Mud on highway

Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.