

## DEVELOPMENT MANAGEMENT COMMITTEE – 6 DECEMBER 2023

<b>Application Number</b>	3/23/0579/FUL
<b>Proposal</b>	Demolition of school and erection of replacement school with associated landscaping and parking. Siting of temporary teaching accommodation during period of construction.
<b>Location</b>	Pinewood School, Hoe Lane, Ware, Hertfordshire, SG12 9PB
<b>Applicant</b>	Bowmer and Kirkland (on behalf of Department for Education)
<b>Parish</b>	Ware
<b>Ward</b>	Ware Priory Ward

<b>Date of Registration of Application</b>	5 <sup>th</sup> April 2023
<b>Target Determination Date</b>	EOT 26 <sup>th</sup> January 2024
<b>Reason for Committee Report</b>	Major application.
<b>Case Officer</b>	Hannah Weston

### **RECOMMENDATION**

That planning permission is **GRANTED**, subject to the conditions set out at the end of this report.

#### **1.0 Summary**

1.1 The application seeks planning permission for the demolition of the existing Special Educational Needs and Disabilities (SEND) school buildings and the erection of replacement SEND school buildings. It is further proposed for temporary buildings to be erected on the playing fields during the construction works to accommodate existing students.

1.2 The main considerations for the proposal are:

- Principle of development
- Design and Layout
- Neighbour Amenity
- Highways Implications
- Landscaping
- Flooding and drainage
- Climate change and water resources
- Ecology and Biodiversity
- Very Special Circumstances
- Equalities Considerations

1.3 The main issue for consideration is whether the proposed development is acceptable, having regard to policies in the East Herts District Plan 2018, the Ware Neighbourhood Plan, and the National Planning Policy Framework (July 2021). The Local Planning Authority have also had regard to the Public Sector Equality Duty under the Equality Act 2010.

## **2.0 Site Description**

2.1 The application site is located on the eastern side of Hoe Lane and northern side of Walnut Tree Walk and comprises a Special Educational Needs and Disabilities (SEND) school. The site is bordered to the east by Middleton School (primary education) and to the north by Presdales School (Academy Secondary School with Sixth-form entry). On and adjacent to the application site there are 4 residential properties (House 1-4 Pinewood School) which have a right of way over the school site for entry and exit. Whilst most of these properties are owned by the school, one (no.3) is independently owned.

2.2 The current school buildings are a mixture of single storey and two storeys in height and are in a state of deterioration.

2.3 The application site is located within the Metropolitan Green Belt. The land to the east of the existing built form on site is an allocated Open Space (CFLR1). A public right of way (bridleway) runs along Walnut Tree Walk to the south of the site.

- 2.4 The site falls within Ware Neighbourhood Plan area.
- 2.5 The application proposes the demolition of the existing school buildings and the erection of new school buildings for the SEND school.

### 3.0 Planning History (recent)

Reference No.	Proposal	Decision	Decision Date
3/13/0053/FP	Proposed dining hall and store courtyard infill extensions	Grant Plan Permission w Conds	28th March 2013
3/13/0592/CC	County Matters application: to be determined by HCC for - Retention of double modular classroom for a further 5 years.	Grant Plan Permission w Conds Expired 10 <sup>th</sup> May 2018	8th May 2013
3/14/0195/FP	Single storey demountable classroom unit	Grant Plan Permission w Conds	31st March 2014
3/18/2300/FUL	Provision of vehicular access to House No2 and creation of 2 off street parking spaces.	Refuse Appeal dismissed	12th February 2019
3/18/2301/FUL	Provision of vehicular access to House No 4 and creation of 2 off street parking spaces	Refuse Appeal dismissed	12th February 2019
3/23/0623/SCR EEN	Request for screening opinion for demolition of the existing SEN School and construction of a replacement SEN school with associated access,	EIA Not Required	12th April 2023

	infrastructure, parking and landscape works		
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#### 4.0 **Key Policy Issues**

4.1 These relate to the relevant policies in the National Planning Policy Framework (NPPF), the adopted East Herts District Plan 2018 (DP), and the Ware Neighbourhood Plan:

<b>Key Issue</b>	<b>NPPF</b>	<b>District Plan Policy</b>	<b>Ware NP Policy</b>
Principle of Development	Section 2 Section 13	CFLR1 CFLR10 ED6 INT1 TRA1 GBR1	W19
Design and Layout	Section 11 Section 12	DES4 CFLR10	W2
Neighbour Amenity	Section 12	DES4	
Highway Implications	Section 9	TRA1 TRA2 TRA3	W15
Landscaping	Section 15	DES2 DES3	
Flooding and Drainage	Section 14	WAT1 WAT2 WAT3	
Climate Change and water resources	Section 14	CC1 CC2 WAT4	W5
Ecology and Biodiversity	Section 15	NE2 NE3	
Very Special Circumstances	Section 13	GBR1	

## 4.2 **Equality Act 2010**

4.3 Section 149 of the Equality Act (2010) confirms that a Public Sector Equality Duty (PSED) came into force in April 2011 and requires the Council to consider the equality impacts on all protected groups when exercising its functions. In the case of planning, equalities considerations are factored into the planning process at various stages. The first stage relates to the adoption of planning policies (national, strategic and local) and any relevant supplementary guidance. The policies and guidance referenced in the committee report and this updated report have all been subject to an equalities impact assessment (EqIA) therefore, the planning policy framework is considered to meet the first stage in the process. Officers have duly considered the equalities impacts on protected groups in the context of the development proposals, subject to this planning application which is set out in Section 8 of this report.

4.3 Other relevant issues are referred to in the 'Consideration of Relevant Issues' section below.

## 5.0 **Summary of Consultee Responses**

5.1 Conservation and Urban Design - No objection subject to conditions. Recommend alterations to the elevational treatment.

5.2 Landscape Officer – No objection.

5.3 HCC Highways – No objection subject to conditions.

5.4 Sport England - No objection subject to conditions on removal of temporary accommodation and reinstatement of playing field, and community use agreement.

5.5 Environment Agency – No objection subject to conditions.

5.6 Lead Local Flood Authority – No objection subject to conditions.

5.7 Thames Water – No objection. Request informatives.

- 5.8 Affinity Water – No objection subject to conditions.
- 5.9 HCC Archaeology – No objection subject to condition.
- 5.10 Environmental Health (Noise/Nuisance) – No objection subject to conditions.
- 5.11 Environmental Health (Contamination and air quality) – No objection subject to conditions.
- 5.12 HCC Ecology - No objection subject to conditions. BNG details are acceptable. Sufficient information on protected species provided.
- 5.13 Crime Prevention Design Advisor - Support. Pleased to see school is designed with peer to peer incidents in mind. The safety of students and staff is paramount. Strongly urge the project team to contact Hertfordshire Constabulary Crime Prevention Design Service to seek to achieve Secure by Design standards.
- 5.14 Waste and Recycling - Vehicle size used in transport statement incorrect – vehicles are longer and the statement needs adjusting to the correct size.
- 5.15 HCC Minerals and Waste – No objection. Site Waste Management Plan has been provided and this should be implemented throughout the duration of the project and completed as the project progresses.
- 5.16 EHDC Section 106 Officer – Proposal is a replacement and as such does not require Section 106 contributions.
- 5.17 HCC Growth and Infrastructure – Not seeking financial contributions.
- 5.18 Levelling up Government - No action required.

## **6.0 Town/Parish Council Representations**

6.1 No comments received.

## **7.0 Summary of Other Representations**

7.1 The application has been advertised by neighbour consultation to local residents on the 5/04/2023, 18/08/23 and 27/10/23. At the time of writing this report a total of four contributors commented on the application.

7.2 Four letters neither supporting nor objecting to the application have been received. The comments can be summarised as follows:

- Swift and bat bricks should be provided.
- Access to houses 2, 3 and 4 Pinewood School are only through the school gate and car park. Concern works traffic will impact access to properties, services will be impacted, and ask that all contractors are made aware of access rights.

## **8.0 Consideration of Relevant Issues**

### **Principle of Development**

#### *Replacement School*

8.1 Policy CFLR10 relates to education and outlines that proposals for the creation of new or extended educational facilities for all ages should:

- a) Be in an accessible location, served by a choice of sustainable travel options;
- b) Be of the highest quality of design which offers flexible use of facilities, in order to ensure the various needs of the community can be met;
- c) Provide or retain a suitable provision of outdoor recreation space and playing fields;

- d) Be designed to facilitate the community use of facilities in accordance with CFLR7.
- 8.2 Policy ED6 relates to Lifelong Learning and outlines that the provision of new educational establishments which support a range of learning and community needs such as further education and opportunities for lifelong learning will be supported in principle.
- 8.3 Paragraph 95 of the NPPF outlines that it is important that a sufficient choice of school places are available to meet the needs of existing and new communities.
- 8.4 The application proposes the demolition of an existing school and the erection of a replacement. The proposed school would remain a SEND school and is not proposed to increase pupil or staff numbers. The proposal seeks to provide improved educational facilities due to the deterioration of the existing school and the increased needs of pupils. It is understood that the applicant proposes a new school campus as opposed to refurbishing and/or extending the existing campus due to the poor quality of the existing building on site and the limited opportunities to alter this to meet the needs of pupils.
- 8.5 The requirements of CFLR10 will be assessed in more details within the following report.

### *Sustainability*

- 8.6 The planning system operates on the basis of a presumption in favour of sustainable development, which is embedded in the NPPF and policy INT1 of the East Herts District Plan. Furthermore, Policy TRA1 of the EHDP encourages developments to occur in sustainable locations.
- 8.7 The proposal is for a replacement school on an existing school site. With the proposal being for a replacement school and with no increase in staff or pupil numbers proposed, the application would not alter the sustainability of the site from that existing.



*Green Belt*

- 8.8 The application site is located entirely within the Metropolitan Green Belt. The application proposes the demolition of the existing school buildings and the erection of a replacement school building with associated structures which amount to a significant increase in floorspace and scale. The use of the land would not be altering.
- 8.9 Policy GBR1 of the District Plan outlines that applications within the Green Belt will be considered in line with the provisions of the National Planning Policy Framework. The pre-amble to this policy outlines that 'Inappropriate development in the Green Belt is by definition harmful and should not be approved except in 'very special circumstances'. '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' (4.4.1). The pre-amble continues that there are some uses that are appropriate in the Green Belt and these are listed in the NPPF (4.4.2).
- 8.10 The National Planning Policy Framework concurs that substantial weight must be given to any harm to the Green Belt and 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposal is clearly outweighed by other considerations.
- 8.11 Paragraph 149 outlines that the construction of new buildings is inappropriate bar certain exceptions. Exception d) is the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.
- 8.12 From measuring the submitted plans the following floorspace measurements can be taken for the main school building:

	<b>Existing School</b>	<b>Proposed School</b>	<b>Difference</b>
<b>Ground floor</b>	Main school: 3487m <sup>2</sup> Modular classroom (3/14/0195/FP): 47.5m <sup>2</sup>	Main school and canopies: 3968.6m <sup>2</sup>	+434.1m <sup>2</sup>
<b>First floor</b>	690m <sup>2</sup>	2072.6m <sup>2</sup>	+1382.6m <sup>2</sup>
<b>Second floor</b>	0	41.5m <sup>2</sup>	+41.5m <sup>2</sup>
<b>Total</b>	4224.5m <sup>2</sup>	6082.7m <sup>2</sup>	+1858.2m <sup>2</sup>
<b>Percentage increase</b>			69.5%

- 8.13 In addition to the additional built form for the main school building, the application also proposes additional ancillary buildings and enclosures within the school grounds. A plant room compound, a new substation, a new LV switch, a sprinkler tank compound, a pumping station compound, bin store, cycle stores and a general store are proposed which the applicant contends are necessary provisions to facilitate the new school. These add a floorspace of approximately 283.25m<sup>2</sup>. It is noted that the general store is being re-located, however no planning permission for this structure has been found and as such this cannot be considered a lawful existing structure and must be counted as additional floorspace.
- 8.14 It is noted that Pinewood School also has an additional modular classroom on site given temporary planning permission by the County Council under PL\0518\13 which expired on the 10<sup>th</sup> May 2018. As such this building is currently unlawfully on the site and the footprint of this would not count towards existing footprint.
- 8.15 As can be seen from the above, officers consider that the proposal adds a significant level of floorspace and new built form to the site. Furthermore, a large proportion of this increase is at first floor, increasing the volume and bulk of the building. The bulk is further exacerbated due to a large section of the internal single storey element of the school building being two storey in appearance, due to roof heights needed for the ground floor uses (such as the sports

hall). As such the building is being increased from a largely single storey school to a two storey school with some third floor elements. It is the officer's view that this significantly increases the built form on site and would amount to a building which is materially larger than the one it replaces in both floorspace and volume. Further to the main building, the proposal also adds a number of compounds within the grounds of the school which add further built form to the site.

- 8.16 Consequently, the proposal does not accord with exception D of paragraph 149 of the NPPF as the proposal is materially larger than the existing built form on site. The proposal therefore amounts to inappropriate development within the Green Belt. The NPPF indicates inappropriate development should be refused except in very special circumstances.
- 8.17 For clarity it is of note that the Green Belt Assessment and Planning Statement submitted with this application argues that there is a footprint decrease as a result of this proposal and as such argues that the scheme is not inappropriate development in the Green Belt. It is argued that the footprint decreases by 118m<sup>2</sup> and that shifting the building northwards would reduce the impact on the Green Belt. At the same time, it is accepted by the applicant that the volume increases by approximately 11,347m<sup>3</sup> which officers consider is a significant amount of added volume.
- 8.18 As outlined above, officers have measured the areas within the submitted plans and conclude that the plans do not show a footprint decrease. Officers consider that the resulting footprint increases by approx. 434.1m<sup>2</sup>. Even if there had been a footprint decrease, the increase in height and bulk of the building, with the corresponding volume increase, would result in the proposal being materially larger than the existing building on site, contrary to paragraph 149 of the NPPF. Footprint is not the only consideration in materiality, and consideration must be given to the floorspace and volume of buildings. Officers therefore conclude that the proposed replacement school is clearly materially larger than the existing school on site. As such the proposal amounts to

inappropriate development in the Green Belt by definition. Officers have therefore considered in this report (in paras 8.97-8.121) whether there are very special circumstances which would justify granting permission for the proposals which constitute inappropriate development, in Green Belt terms.

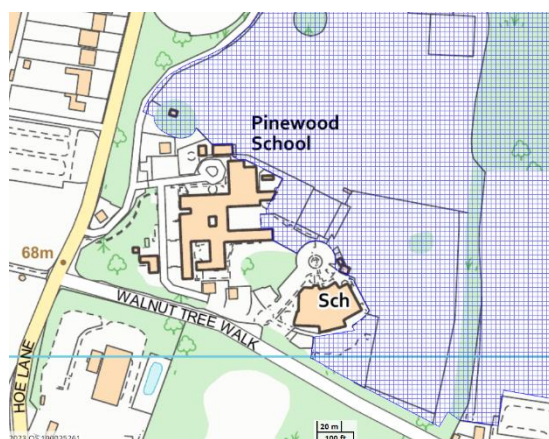
*Other harm:*

- 8.19 Para 137 of the NPPF sets out that 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 permanence. Openness has both a visual and spatial component.
- 8.20 The proposal would result in significant additional built form resulting in a material increase in scale, bulk, height and mass at the site. By its very nature, the additional scale of development would result in some harm to the openness of the Green Belt, in addition to the harm from the proposals constituting inappropriate development. However, the current school lies on a contained site and occupies a large portion of the site in addition to the hardstanding areas and ancillary structures and so the site cannot be said to benefit from being part of a particularly open setting. The main differences between the proposed and existing school buildings are the greater height, scale and massing and siting which are considered to reduce the openness to some degree, and resulting in some harm to the Green Belt in terms of the spatial qualities.
- 8.21 In visual terms, the application site is well screened by surrounding vegetation from wider views and surrounding streets. Therefore, the impact on the character of the wider area would be limited. However, the new school would be clearly visible from the neighbouring schools and houses and in glimpses from the public right of way to the south. The proposed building would be visible as a significantly larger building than the existing school, notwithstanding the limited impact on the character of the wider area which contains a neighbouring school.

- 8.22 In spatial terms, the proposal would increase the spread of built form on the site beyond its existing established parameters.
- 8.23 In accordance with the above appraisal, the proposal would have an adverse impact upon openness within the site which conflicts with one of the purposes of the Green Belt and constitutes inappropriate development. This harm to the Green Belt carries substantial weight in the consideration of the proposals. The proposals are therefore viewed as being contrary to policy GBR1 of the Local Plan and section 13 of the Framework due to the resulting impact upon the openness. Notwithstanding the conflict with Policy GBR1 and the NPPF, officers have considered whether there are any very special circumstances which clearly outweigh the substantial harm identified to the Green Belt, in determining whether planning permission for this development can be granted.

*Impact on sports provision and open space*

- 8.24 The land to the rear of the school, including the playgrounds, sports pitch and playing fields are outlined to be Open Space falling within policy CFLR1 of the District Plan.



- 8.25 Policy CFLR1 outlines that proposals that result in the loss or reduction of open space, indoor or outdoor sport and recreation facilities, including playing fields, will be refused unless:
- An assessment has been undertaken which has clearly shown that the facility is no longer needed in its current form; or

- b) The loss resulting from the proposed development would be replaced by enhanced provision in terms of quantity and/or quality in a suitable location prior to the commencement of development (in the case of school playing fields, the timing of delivery will be negotiated on a case by case basis; or
- c) The development is for an alternative open space, sport and recreation facility, the need for which clearly outweighs the loss.

8.26 Policy CFLR10 relates to education and outlines that proposals for the creation of new or extended educational facilities for all ages should:

- a) Be in an accessible location, served by a choice of sustainable travel options;
- b) Be of the highest quality of design which offers flexible use of facilities, in order to ensure the various needs of the community can be met;
- c) Provide or retain a suitable provision of outdoor recreation space and playing fields;
- d) Be designed to facilitate the community use of facilities in accordance with CFLR7.

8.27 The proposed replacement school would extend partly into the Open Space allocation on the eastern projection, with the built form and outside classrooms projecting into this. Approximately 322m<sup>2</sup> of Open Space would be lost from the current designation. The land being lost is an area of poor quality grass which does not appear to be used. In addition, the existing hard surfaced playing pitches are proposed to be removed.

8.28 Whilst the proposal would result in the loss of existing open space, the proposal creates a number of sensory gardens, a new playground, and a new multi use games arena. Internally a new sports hall and hydrotherapy pool are provided.

8.29 During the course of building works, it is also proposed to locate temporary classrooms on the existing sports field for this school, resulting in an additional temporary loss of sports facilities.

- 8.30 Sports England have been consulted on the proposal. Sports England note that the proposal would include a temporary encroachment onto the school's playing field to accommodate a temporary classroom, kitchen and dining facilities, and the redevelopment of the existing games courts. The proposal would provide a new MUGA, internal courts sports hall, a new school hall which could be used for physical activities and a hydrotherapy pool.
- 8.31 Sports England advise that the temporary accommodation on the playing field is mitigated by new sports facilities elsewhere across the school site and meets exception 5 of Sport England Policy 'The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.'
- 8.32 A new MUGA is proposed which would accommodate a range of formal sports. This would be superior in quality to the existing games court it replaces. The new school also includes a modern sports hall, school hall, and hydrotherapy pool which would replace dated facilities in the existing school and meet school needs. The new improved facilities would better meet the educational needs of the school's students on site and would offer potential for meeting local community needs if made available for community use through a community use agreement.
- 8.33 With regards to the impact on the playing field, during construction works the area would be unavailable for up to 22 months. Sufficient space would be retained on the southern part of their playing field for a temporary period. Landscaping is further proposed in the north-east corner of the playing field. This area is constrained from being used for playing pitches or formal sport by existing trees and the planting would only affect areas that are incapable of forming a playing pitch or part of one.
- 8.34 In relation to the hard play area, the MUGA would be 200m<sup>2</sup> smaller than the existing games courts but would be superior in quality and

would still meet the requirements of the DfE guidance in terms of quantum of provision. Access to the existing hard courts would be maintained throughout construction with the exception of 2 months during the school term when temporary accommodation is being constructed. Whilst the loss of access will have an impact on curriculum delivery, the school would still have access to the playing fields and the existing indoor facilities during this period. The benefits associated with the delivery of the new improved sports facilities would be considered to outweigh the short term temporary impact.

- 8.35 Sports England have no objection to the proposal subject to two conditions. The first is the requirement to remove the temporary buildings from the playing field. The second is for the requirement for a community use agreement for the use of the sports hall, school hall, multi-use games area, natural turf playing fields and supporting ancillary facilities. Sports England have agreed that the hydrotherapy pool does not need to be included within this as this is needed for specialist purposes in connection with the school.
- 8.36 These conditions are considered reasonable to attach to any consent.
- 8.37 As such, whilst the proposal results in the reduction of open space, the reduction in hard courts, and the temporary loss of playing fields, it does propose new and improved facilities which are of a higher quality and could be made available for community use. As such it is considered that the proposal would not have an unacceptable impact upon open space and sport provision. As such the proposal is considered to comply with policies CFLR1 and CFLR10 of the District Plan.

## **Design**

- 8.38 Policy DES4 of the District Plan relates to the design of development and outlines that all development proposals must be of a high standard of design and layout and reflect and promote local distinctiveness.



- 8.39 The application proposes the demolition of the existing school building and the erection of a replacement.
- 8.40 The existing school is largely single storey, with two sections which project up to two storeys in height. The application proposes to demolish the entirety of the existing school and to erect a replacement school building which is predominately two storeys in height. Due to plant equipment, some sections project to a three storey height.
- 8.41 The proposed school is of a functional design typical for such a use, being a relatively uniform flat roofed building. Cladding is used on the building to bring some interest, such as through the use of different colours.
- 8.42 The school would also have a number of outside classrooms around the building, with canopies to support this. A large canopy is also proposed running from the drop off/pick up point to a rear entrance to the school.
- 8.43 In the surrounding grounds of the school an existing portacabin style building would be removed on the northern boundary and this area altered to house a substation and LV switch, alongside a cycle parking area. On the northern edge of the main school, a plant room compound would be created. To the south-western side of the site, a new pumping station compound, sprinkler tank compound, and storage building (re-located from the northern boundary) would be erected in an area that already contains a substation and garages. Bin storage and visitor cycle parking is further proposed to the front of the building alongside a car park.
- 8.44 The Council's Conservation and Urban Design Officer has commented that the proposed school building is unremarkable and lacks interest. Notwithstanding this, there are no objections raised by the design officer with regards to the scale, height, mass or bulk of the development. The Urban Design Officer recommended that

alterations to the appearance of the building should be considered in order to create more architectural interest.

- 8.45 The design of the building was subsequently slightly amended to add more coloured panels to the building. Whilst a minor alteration, this has assisted in providing a slight improvement to the appearance of the building. Whilst the proposed building could still be of a more interesting design, the proposals constitute an improvement to the current buildings on the site which are of a functional and utilitarian form. As such, the resulting design and architectural form of development are not considered unacceptable, notwithstanding the increased built form on the site. The scale and design are considered to be typical of a modern school building and would be compatible with the educational character of this site and surrounding area which contains an adjacent school. Furthermore, the proposed ancillary compounds and other structures in the school grounds, revised parking layout and altered grounds are considered to provide an acceptable appearance which are compatible for this school site. As such it is considered that the design of the proposal is acceptable, and it would not have a significant harmful impact on the character of the area. The proposals would therefore accord with policy DES4 of the District Plan and the guidance contained in the NPPF.
- 8.46 The proposal also includes temporary facilities to be provided on the playing fields during construction works. This consists of a two storey building containing classrooms, offices and toilets, and a single storey building containing the school hall, kitchen and dining hall. These buildings are of a typical temporary appearance, being modular structures. With these being temporary buildings that would be removed once the development is completed, the temporary design of these buildings is considered acceptable.

### **Neighbour amenity**

- 8.47 Policy DES4 of the District Plan outlines that the proposal must avoid significant detrimental impacts on the amenity of occupiers of neighbouring properties and land.

- 8.48 Pinewood School has 4 houses on the school site. It is understood that three of these are owned by the school and rented to staff members and one is owned independently (no.3).
- 8.49 It has been confirmed that Houses 1, 2 and 4 Pinewood School are owned by the School and rented to staff members. Units 1 and 2 are within the ownership of the school and within the red line of the application site. As such it is not a requirement to assess the impact of the development on these properties.
- 8.50 In any case, Number 1 is located on the north-western corner of the site and is owned by the school and rented to staff members. The built form would move significantly closer to this dwelling and a current informal parking area would be altered to a formal parking area to the south of the property. The southern elevation of the property is, however, a blank wall. As such, it is not considered that the alterations to the parking would impact upon the occupiers of this house. The built form of the school would be moved closer to this property, however the positioning of this is such that it is not considered to result in an unacceptable impact to occupiers of the building.
- 8.51 Number 2 is located on the south-western corner by the garages and proposed site compounds. The built form of the development would not have an unacceptable impact upon the occupiers of this property.
- 8.52 Numbers 3 and 4 are located on the southern side of the school and have side elevations facing northwards. The proposal would move the built form further away from these properties, but would also increase the built form from single storey to two storey. The separation between the new school building and the side boundary of these properties would be 28 and 33 metres respectively. This separation is considered sufficient to ensure that there would not be an unacceptable level of overlooking or overshadowing/loss of light of houses 3 and 4.

- 8.53 It is not considered that the proposal would have an unacceptable impact upon any other neighbouring properties, with the nearest being on Hoe Lane set a significant distance away from the school.
- 8.54 The Council's Environmental Health department has been consulted on this proposal and has not raised any objections subject to conditions requiring noise reports, restricting building hours, controlling waste, controlling dust, restricting the hours of use of the artificial pitch, controlling the fencing for the pitch, requiring details of piling works, and requiring details of external lighting. These are considered reasonable to require through conditions.
- 8.55 As such it is considered that the proposal would not have an unacceptable impact upon neighbouring amenity in accordance with policy DES4 of the District Plan.

### **Highways**

- 8.56 Policy TRA2 of the District Plan outlines that development should ensure safe and suitable access can be achieved. Policy TRA3 outlines that suitable parking provision must be provided in line with the Parking SPD.
- 8.57 HCC Highways have been consulted on the proposal and have raised no objection subject to conditions requiring the provision of the access and parking arrangements, an updated travel plan, and compliance with the submitted Construction Environmental Management Plan.
- 8.58 HCC Highways advise that the proposed development seeks to utilise the existing operational arrangement in terms of highway access, with the existing access of Hoe Lane used. A car parking area and new pick-up/drop-off point would be created with a continuous circular arrangement. The proposal does not seek to increase the capacity of the school and the overall level of traffic generation/vehicle movements for the school will not change. Bearing in mind that the re-development would not lead to any

intensification of the use of the current use, the proposal is considered acceptable in Highway terms.

- 8.59 The HCC Active and Safer Travel Team outline that the submitted travel plan required updating. It is advised that a Modeshift STARS School Travel Plan is required. The provision of this is reasonable to condition.
- 8.60 With regards to parking, the Vehicle Parking SPD outlines that schools require 1 parking space per full time member of staff plus 1 space per 100 students plus 1 space per 8 students over 17 years old plus 1 space per 20 students under 17 years old. With regards to cycle parking 1 space per 15 students is required for primary school and 1 space per 5 students for secondary school. In addition to this, parking for disabled motorists is required at a ratio of 2 spaces or 5% of total capacity, whichever is the greater.
- 8.61 The existing school has 192 students between the ages of 11-16 years old and 70 staff members. No changes are proposed to the number of pupils and staff as a result of this development. As such the parking requirement for the school is 82 parking spaces and 39 cycle parking spaces.
- 8.62 As existing the school provides 42 parking spaces and an overflow area with space for 20 vehicles. It was further noted on a site visit that informal parking exists by each dwelling on land within the red line of the site.
- 8.63 The proposal provides 73 parking spaces and two school minibus spaces for the school. Of these 73 parking spaces, 5 are to be marked for visitor parking (restricted hours), and 5 as disabled parking bays. 15 of the proposed spaces would be provided with EV charging facilities, with a further 16 made ready for future provision with cable routes provided. The proposal also includes cycle parking provision. Two cycle hoops are provided for visitors to the front entrance and four cycle stores with 20 cycle hoops are provided to the northern edge. This provides a capacity for 40 bicycles.

- 8.64 The parking provision provides a shortfall of 9 parking spaces. . Sufficient disabled parking bays and cycle storage are provided.
- 8.65 Whilst a parking shortfall, it is noted that the parking provision has increased from the existing provision, providing 31 additional parking spaces. It is also noted that the proposal does not increase the number of pupils or staff. As such, there would be no increased parking demand from that existing as a result of this proposal. As such whilst the site provides a shortfall in provision from the Vehicle Parking Standards, the proposal provides a significant improvement when compared to the current situation. As such it is not considered that the parking shortfall would amount to a reason for refusal.
- 8.66 The Council's Environmental Health department advise that with regards to electric vehicle charging provision 1 in every 10 parking spaces should be provided with fast EV charging points. This would be a requirement for 8 EV charging spaces. 15 EV charging points are proposed which would be beneficial to the scheme. A condition securing the provision of these would be reasonable to attach.
- 8.67 In addition to the school parking, two parking spaces are provided for house 3, and two for house 4. 1 parking spaces is provided for house 2. House 1 has an existing driveway which is unchanged by this proposal. Providing formal parking for the existing properties on site is considered a benefit of the scheme.

### **Trees**

- 8.68 The Council's Landscape Officer has been consulted on the proposal and has raised no objection to the scheme.
- 8.69 It is advised that views towards the site from the surrounding area are screened by the tree cover within and around the site, and wider views are screened by the combination of topography and vegetation which limits the visibility of the site. It is noted that views will change for housing adjacent/on the site and from the Public Right of Way, however this would not be an unacceptably significant degree.

- 8.70 It is advised that The Tree Survey, Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement and Tree Protection Plan are acceptable. It is advised that one category A tree, two category B trees and a number of low quality trees are to be felled, however there is no overall unacceptable adverse arboricultural impact.
- 8.71 With regards to the proposed landscaping, it is advised that the Planning Strategy, Site Landscaping Plans, Illustrative Landscape Masterplan, Site Plan, Landscape and Visual Impact Appraisal are acceptable.
- 8.72 It is considered, therefore, that the proposal is well considered in landscape terms in accordance with policies DES2 and DES3 of the District Plan.

### **Flooding and Drainage**

- 8.73 The application site is not located within flood zones 2 or 3.
- 8.74 The Environment Agency advise that they accept the conclusions of the submitted Drainage Statement which conclude that the proposed drainage network will significantly improve the quality of water that is currently being discharged to the ground.
- 8.75 The EA request conditions controlling infiltration and piling/foundation designs. These conditions are considered reasonable to attach.
- 8.76 The Lead Local Flood Authority have advised that there is no objection subject to conditions requiring further details of the surface water drainage network, requiring details of the maintenance and management of the drainage scheme, requiring a survey and verification report, and requiring a method statement for interim and temporary drainage measures. These are considered reasonable to attach.

- 8.77 Affinity Water advise that it has been demonstrated that public water supply will not be impacted by the development. Conditions on contamination through groundworks, during construction and through surface water drainage are proposed and these are considered reasonable to attach.
- 8.78 As such it is considered that the proposal would not have an unacceptable impact with regards to flooding and drainage in accordance with policies WAT1, WAT2, and WAT3.

### **Climate change and water**

- 8.79 Under policies CC1 and CC2 of the District Plan, all developments must demonstrate how the design, materials, construction and operation of the development would minimise overheating in the summer and reduce the need for heating in the winter, integrate green infrastructure into the scheme, and demonstrate how carbon dioxide emissions will be minimised.
- 8.80 Under policy WAT4 development must minimise the use of mains water through water saving measures, the recycling of grey water, and designing new development to reduce mains water consumption.
- 8.81 A Sustainability Statement has been submitted. This outlines at section 6 how the development would comply with low carbon and climate change requirements. It is outlined that construction activities with the potential to generate carbon emissions would be appropriately managed and undertaken to minimise the production of carbon dioxide emissions and ensure the efficient use of fuel, such as minimising the number of deliveries, switching off vehicles when not in use and dispose of waste locally where possible. It is also outlined to use construction materials with low embodied energy.
- 8.82 With regards to the design, the building has been designed to achieve Net Zero Carbon in Operation at handover, use LED lighting to reduce lighting energy consumption, use hybrid ventilation with



heat recovery, reduced hot water demand by 40% due to water efficient fittings, use fabric first strategy, use exposed thermal mass and night time purge, use air source heat pumps, use fabric first strategy, use building geometry to reduce exposed surface area, provide draught lobbies, thermal bridges, solar control glass, and maximise potential for natural ventilation.

- 8.83 It is noted that the submitted proposed roof plan also indicates the provision of a bio-solar roof with green roof and solar panels.
- 8.84 Section 8 contains a section on water use. This outlines that water use during construction will be monitored. The design aims to reduce potable water used, ensuring compliance with Building Regulations through the specification of water efficient sanitary fittings such as low flush WC's and flow restrictors. The result would be total water consumption of less than 110 litres per person per day.
- 8.85 It is considered that sufficient information has been submitted to demonstrate compliance with policies CC1, CC2 and WAT4 of the District plan. Conditions requiring the development to be undertaken in accordance with the submitted Sustainability Statement and for further details on the green roof and solar panels would be reasonable to secure this.

### **Ecology and biodiversity**

- 8.86 Policy NE2 of the District Plan outlines that all proposals should achieve a net gain in biodiversity. Under policy NE2, proposals are expected to apply the mitigation hierarchy of avoidance, mitigation and compensation, as set out in the NPPF and integrate ecologically beneficial planting and landscaping into the overall design.
- 8.87 With regards to ecology, HCC Ecology advise that sufficient information has been provided to demonstrate that the proposal would not harm bats or other protected species.

- 8.88 Comments have been received requesting bird and bat boxes. It is considered reasonable to attach a condition requiring details of bird and bat boxes for the site to secure ecological improvements.
- 8.89 A biodiversity net gain assessment with associated metric has been submitted with the application. This assessment identifies a 17.88% net gain in habitat units and a 100% net gain in hedgerow units. HCC Ecology advise that a biodiversity net gain is demonstrated. It is advised that a condition requiring a full biodiversity gain and enhancement plan to be submitted should be attached to any approval, alongside a condition requiring a construction environment management plan for biodiversity. These are considered reasonable to attach.

### **Contributions and legal agreements**

- 8.90 The Council's Section 106 Officer and HCC Growth and Infrastructure department have both advised that no contributions are required for this application.

### **Other matters**

- 8.91 The Council's Waste and Recycling department have advised that the vehicle sizes used in the submitted transport statement are incorrect. It is considered that a condition can be attached requiring further details of waste management.
- 8.92 HCC Minerals and Waste advised that they have no objection and that the submitted Site Waste Management Plan should be implemented throughout the duration of the project and completed as the project progresses.
- 8.93 HCC Archaeology have advised that they have no objection to the scheme subject to an archaeology condition, which is reasonable to attach.
- 8.94 The Council's Environmental Health (contamination and air quality) department have advised that the submitted reports show there are

no significant levels of contamination present on the site that would cause a risk to human health under the proposed site plans and layout. A condition regarding unexpected contamination is reasonable to attach.

- 8.95 The Police Crime Prevention Design Advisor has been consulted on the scheme and raises support. It is advised that the school has been designed with peer to peer incidents in mind. It is strongly advised that the development seek to achieve Secure by Design standards. A condition requiring the development to meet secure by design is considered reasonable to attach.
- 8.96 During the course of the application the Council became aware that the applicants did not own House 3 Pinewood School. The only access to this property is through the school and as such the occupiers of the property have an established right of way over the land within the red line of the site. In such circumstances it is a requirement for certificate B to be served on the neighbouring property, as they have a right of way over the land. As such an amended certificate B form was submitted by the applicants on the 15<sup>th</sup> November and notice was served on the property in question. This notice gives the owners 21 days to respond which expires on 6<sup>th</sup> December. The occupiers of House 3 were, however, consulted on the application and have commented on the application. As such it is considered that the application can be heard at Planning Committee prior to the expiry of the required 21 day period for an amended certificate as the neighbouring property has not been prejudiced in the assessment of the application and this error is a procedural matter. A decision could not be issued until after the 21 days expire.

### **Very special circumstances**

- 8.97 As discussed above the application is inappropriate development within the Green Belt due to the material increase of the built form and the corresponding harmful effect on openness within the Green Belt. As such an assessment must be made as to whether there are

any very special circumstances existing to outweigh the harm to the Green Belt.

- 8.98 A Green Belt Assessment and Green Belt Assessment Addendum have been submitted with this application which put forward the applicant's argument for Very Special Circumstances.

*Need for additional SEND spaces*

- 8.99 The Green Belt Assessment outlines that the SEND Special School Place Planning Strategy 2020-2023 by Hertfordshire County Council (2020) ensures the need for sufficient capacity in Hertfordshire special schools so that children with SEND have access to high quality local provision to meet their needs. It is outlined that the needs for children with SEND are not currently being adequately met in Hertfordshire and it is the County Council's aim to meet the needs of children and reduce the reliance on the independent sector.
- 8.100 It is outlined that as existing there are nine learning difficulties (LD) schools across the county (including the application site) which offer 1143 places. There has been an increase in the number of pupils in LD schools in Hertfordshire and the forecast indicates that demand for places will exceed current capacity.
- 8.101 The argument put forward is that sufficient special schools capacity is required in Hertfordshire and that additional SEND spaces are needed. However, the application does not propose an increase in pupil numbers and as such the scheme is not contributing towards meeting this. It is not considered that the reprovision of the school constitutes a Very Special Circumstances justification for this development.

*Not inappropriate development and does not harm the Green Belt*

- 8.102 The Green Belt Assessment document presents an argument that the scheme is not inappropriate development in the Green Belt and

does not harm the five purposes of the Green Belt as referred to earlier in this report.

8.103 The applicant argues that the footprint would be reduced, and the building would be moved further to the north to provide a buffer with existing houses. This combined with landscaping is considered by the applicant to reduce the impact on the openness of the Green Belt. The argument continues that the heights are in keeping with the existing buildings on the site and sit comfortably below the heights of the mature wooded remnants of Presdales Hall parkland. The agent then outlines that the volume is significantly larger than the existing building with an increase of 11347m<sup>3</sup> but states this is only due to the generous clear heights provided in the new spaces and the additional large volume spaces of sports hall and hydrotherapy pool which are required to meet standards under guidelines for SEND. The agent continues that landscaping screening the development would minimise the impact on openness of the Green Belt.

8.104 It is clear from the application and the assessment within the Green Belt section earlier in this report that the building proposed on the site is significantly larger than the existing built form on site and the Green Belt Assessment outlines a significant increase in volume is accepted by the applicant. The shifting of a building into a slightly different location in the Green Belt does not alter the harm to openness, nor does the large increase in height being screened by trees or the need for heights due to sports facilities. Notwithstanding the argument put forward by the applicant, officers consider that the increased scale of the building, upgrades to the on-site landscaping and provision of a modern school building which provides corresponding improved facilities and an improved learning environment for children with SEND needs, are factors which provide qualitative benefits in terms of the appearance and functionality of the site. These do not however, reduce or eradicate the loss of openness and corresponding harm to the Green Belt by virtue of the material increase in scale.

8.105 Officers have set out in this report that the development is clearly inappropriate development within the Green Belt. The existence of Very Special Circumstances hangs on the extent to which the size of the proposed building is needed (for the specific educational SEND needs) and whether it is needed in this location.

*Benefits to local community of the scheme*

8.106 It is outlined that there would be benefits to the local community in terms of community sports provision as a result of the scheme with a new MUGA and the playing fields will be available for community use. It is a benefit of the scheme to secure community use for the sports facilities on site.

*Need for the redevelopment*

8.107 An argument is put forward that the scheme enhances educational provision, as the proposal significantly enhances the SEND education offer for students in the catchment area and will deliver improved teaching facilities in a new teaching environment with up-to-date technology and modern SEND specific facilities. It is outlined that the proposal enhances SEND facilities for more less abled bodied students. The new school is designed to be significantly more accessible within the site and easily accommodate larger equipment supporting movements. Furthermore, the proposal provides improved areas of open space for future pupils of the SEND school alongside a MUGA, hydrotherapy pool, outdoor learning areas, and playground space.

8.108 It is advised that the places available at Pinewood School are essential to ensure that there is sufficient capacity for the demand for SEND spaces. It is advised that the current accommodation is in a poor condition and is life expired and as such cannot be reused.

8.109 It is advised that a trend has been identified within the County as a whole and with the catchment area of this school towards children with more significant needs including moderate and severe learning difficulties and profound and multiple learning difficulties. The current school buildings do not fully meet the needs of this cohort.

The replacement and improved facilities will expand the specialist offer to accommodate children with these enhanced levels of need.

- 8.110 It is outlined that HCC has requested the school be rebuilt to accommodate up to 25% non-ambulant pupils – with the needs of pupils with learning difficulties becoming more complex resulting in it being necessary to future proof the school so that it can continue to meet these needs.
- 8.111 A letter has been provided from the Department for Education outlining that the existing school is chronically overcrowded. The replacement school is to be considered a non-ambulant school as defined by DfE's Special Schools Area Guidance Building Bulletin 104 (BB104) due to a significant number of students with Profound and Multiply Learning Difficulties. It is outlined that the current school was designed for 160 pupils however the current number is 192. It is forecast that there will be an uplift in non-ambient pupils from 10% to 25%. As such the new building is designed to address this significant shortfall in accommodation and the need to address a 25% non-ambulant pupil ratio. It is advised that the current school is too small to be able to provide this.
- 8.112 It is further advised that send schools require more area per pupil than mainstream schools due to pupils being taught in smaller groups, need for multi-agency meetings, therapy sessions, wheelchairs and mobility aids, the need for physiotherapy, specialist changing facilities, individual teaching etc.
- 8.113 In addition, the school is required to be future proofed to avoid the risk of overheating, to comply with 2oC global warming scenario weather, to adapt to overheating against 4oC global warming scenario and to achieve a net zero carbon in operation. This means that all new school buildings physically increase in height to support crossflow ventilation.
- 8.114 It was noted that the proposed plans show an increase in classrooms despite it being outlined that there would be no increase in pupil numbers. An email from the agent advises that the

number of classrooms for the new school is based on DfE areas for a school with 192 students. The existing building was designed for 110 students and the capacity has been expanded by the addition of demountable units and having to repurpose spaces within the school such as the computer suite, art room, library and drama studio that have been repurposed as general teaching spaces.

8.115 In line with the above it can be seen that the current school buildings do not provide the facilities needed for the pupils on site. This is due to an increase in pupil numbers since its construction, and also due to the increase percentage of non-ambulant pupils. The new school buildings are designed to provide facilities to support an uplift in non-ambulant pupils to 25%, providing additional space and facilities to support these pupils. As such it can be seen that a larger replacement school building is needed to provide the educational facilities required. This is considered a very special circumstance for this proposed development and this weighs heavily on establishing the existence of VSC case having regards to the Council's Public Sector Equality Duty.

#### *Alternative sites*

8.116 Consideration must then be given as to whether the school must be in this location within the Green Belt.

8.117 The applicant argues that Pinewood school is a long established SEN school with an established catchment area, and is the only SEN school serving East Hertfordshire.

8.118 A letter is provided from the School Planning Manager (SEND) of Hertfordshire County Council. This outlines that there are currently five special schools in Hertfordshire that meet the needs of secondary aged pupils with learning difficulties and all of these are full. It is advised that Pinewood is the only secondary learning difficulties school serving east Hertfordshire.

8.119 It is advised that there are no alternative sites available that are not in the Green Belt. It is advised that Hertfordshire recently



commissioned consultants to carry out a site search in East Herts and Broxbourne for a planned new special school for children with severe learning difficulties and the search only identified one potential site in Buntingford. This is being looked at for a new school. That site would not be large enough to co-locate the re-provision of Pinewood School.

- 8.120 It is considered that it has been demonstrated that Pinewood School would need to remain in the same location in order to provide the required educational provisions for children with special educational needs and disabilities. This adds further weight to the argument put forward to suggest that there are very special circumstances which lean in favour of the proposals.

### *Summary*

- 8.121 It is considered that Very Special Circumstances have been demonstrated to the satisfaction of the local planning authority that the school needs to enlarge in size and it needs to remain in the same location as existing. Furthermore, the development would enhance the current standard of educational facilities for children with SEND needs within Hertfordshire which comprises a further very special circumstance. As such it is considered that the Very Special Circumstances have been established which result in the harm to the Green Belt being clearly outweighed. The existence of very special circumstances comprises an important material consideration in considering whether the proposed development can be determined in accordance with s38(6) of the Planning and Compulsory Purchase Order 2004.

### *Equality*

- 8.122 As discussed within the Policy section of this report, Section 149 of the Equality Act (2010) requires the Council to consider the equality impacts on all protected groups when exercising its functions.
- 8.123 The policies and guidance referenced in the committee report and this updated report have all been subject to an equalities impact

assessment (EqIA) therefore, the planning policy framework is considered to meet the first stage in the process.

- 8.124 The application proposes improved facilities for children with special educational and disability needs. As such it is considered that the proposal would benefit the protected characteristics of age and disability. It is not considered that the proposal would harm the protected characteristics of gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 8.125 It is the case that during construction works there may be a temporary impact due to the building works taking place and the use of temporary buildings whilst this occurs. Any impact would, however, be temporary in nature and would be outweighed by the positive benefits of the resultant scheme.
- 8.126 Officers have duly considered the equalities impacts on protected groups in the context of the development proposals. As such it is considered that the Council has fulfilled its requirements to consider the equality impacts on protected groups.

## **9.0 Conclusion**

- 9.1 The proposed development is considered acceptable with regards to design, the impact upon neighbouring amenity, highways, landscaping, flooding and drainage, climate change and water resources and ecology and biodiversity. With regards to the principle of the development, the application does amount to inappropriate development within the Green Belt, however it is considered that very special circumstances exist to outweigh this harm due to the need to provide improved educational facilities for children with special educational and disability needs.
- 9.2 Overall, on the balance of considerations, the application is therefore considered to accord with some relevant policies in the East Herts District Plan and the National Planning Policy Framework but does not comply with others. However, due to the demonstration of very special circumstances, which justify the

provision of inappropriate development within the Green Belt, there are material considerations which indicate that the application can be determined favourably notwithstanding the conflict with the Development Plan. As such, and on balance, the application is recommended for approval subject to conditions.

## **10.0 RECOMMENDATION**

10.1 Grant planning permission subject to the following conditions:

- 1 The development to which this permission relates shall be begun within a period of three years commencing on the date of this notice.

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

- 2 The development hereby approved shall be carried out in accordance with the approved plans listed at the end of this Decision Notice.

Reason: To ensure the development is carried out in accordance with the approved plans, drawings and specifications.

- 3 Prior to any above ground construction works being commenced (not including demolition), the external materials of construction for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority, and thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of amenity and good design in accordance with Policy DES4 of the East Herts District Plan 2018

- 4 Prior to the first occupation or use of the development hereby approved, details of all boundary walls, fences or other means of enclosure to be erected shall be submitted to and approved in writing by the Local Planning Authority, and thereafter the

development should be implemented in accordance with the approved details.

Reason: In the interests of amenity and good design, in accordance with Policy DES4 of the East Herts District Plan 2018.

- 5 Prior to first occupation or use of the development hereby approved the hard surfaced areas of the development, including roads, pavements and car parking areas shall be surfaced in accordance with details submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure safety and satisfactory appearance in accordance with Policies DES4 and TRA2 of the East Herts District Plan 2018.

- 6 Prior to the first occupation of the development hereby permitted the proposed access arrangements/onsite car, minibuses / servicing / loading, unloading / turning /waiting areas shall be implemented in accordance with the approved in-principle plan (Drawing No: SRP1049-ONE- XX- XX-D-L- 0001 Rev P16) 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).

- 7 Three months prior to the occupation of the development hereby permitted, an updated Travel Plan shall be submitted to and approved in writing by the planning authority. The Modeshift STARS Accreditation Framework shall be updated annually, maintaining a minimum Good Travel Plan (Bronze) accreditation 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).

- 8 The construction of the development shall only be carried out in accordance with details within the submitted Environmental Management Plan (CEMP - Dated 5th January 2023) and associated logistic phased plans.

Reason: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

- 9 No occupation shall commence of the development hereby permitted until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to at least the sports hall, school hall, multi-use games area, natural turf playing fields and supporting ancillary facilities and include details of pricing policy, hours of use, access by noneducational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Development Plan Policy.

- 10 Within 24 months of the commencement of development the temporary accommodation including classrooms, offices, hall, and kitchen/dining accommodation as shown within plans 2162201 Rev

S-3, 2162204 Rev S-0, 2162205 Rev S-1 shall be removed from the site in their entirety and the land reinstated to a playing field.

Reason: To ensure the playing fields are returned to use, to minimise the length of time the playing fields are out of use, and to protect the Green Belt in accordance with policies CFLR1CFLR10 and GBR1 of the District Plan 2018.

- 11 The measures detailed within the submitted drainage report SRP1046 PINWOOD SCHOOL SEN ACADEMY. Drainage Statement. Hexa ref: 600634. Date: 10/07/23. Revision: P03. shall be implemented on site prior to first use of the development hereby permitted.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the NPPF and Policy WAT3 of the East Herts District Plan.

- 12 The development shall be undertaken in accordance with the measures detailed within the Preliminary Ground Investigation Report with Interpretive Chapter for PINWOOD SCHOOL, WARE, HERTFORDSHIRE. Prepared for Department for Education by Geotechnics Limited. Engineer: Mott MacDonald Limited. Project No: PC218226. Date: October 2021.

Reason: To ensure that the proposed development does not harm groundwater resources in line with paragraph 174 of the National Planning Policy Framework, Policy WAT3 of the East Herts District Plan and relevant Position Statement 'The Environment Agency's approach to groundwater protection.

- 13 Prior to the commencement of development (not including demolition), construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be

submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings, method statement, Drainage Statement (ref 600634, 10 July 2023), Surface Water Drainage Layout (SRP1049-HEX-ZZ-XX-D-C-5201, 15 August 2023), Temporary Drainage Layout (SRP1049-HEX-ZZ-XX-D-C-5207, 15 August 2023), Drainage Construction Details Sheets 1 and 2 (SRP1049-HEX-ZZ-XX-D-C-5210, 15 August 2023) and remain in perpetuity for the lifetime of the development. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.

Reason: To ensure that the development achieves a high standard of sustainability and to comply with NPPF and Policies of East Herts Council.

- 14 The development hereby approved shall not be occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:
- I. a timetable for its implementation.
  - II. details of SuDS feature and connecting drainage structures and maintenance requirement for each aspect including a drawing showing where they are located.
  - III. 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. This will include the name and contact details of any appointed management company.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies of East Herts Council.

- 15 Upon completion of the surface water drainage system, including any SuDS features, and prior to the first use of the development; a survey and verification report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to condition SW1. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with NPPF and Policies of East Herts Council.

- 16 Development shall not commence until details and a method statement for interim and temporary drainage measures during the construction phases have been submitted to and approved in writing by the Local Planning Authority. This information shall provide full details of who will be responsible for maintaining such temporary systems and demonstrate how the site will be drained to ensure there is no increase in the off-site flows, nor any pollution, debris and sediment to any receiving watercourse or sewer system. The site works and construction phase shall thereafter be carried out in accordance with approved method statement, unless alternative measures have been subsequently approved by the Planning Authority



Reason: To prevent flooding and pollution offsite in accordance with the NPPF.

- 17 No works involving excavations (e.g. piling or the implementation of a geothermal open/closed loop system) shall be carried until the following has been submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water:
- i) An Intrusive Ground Investigation to identify the current state of the site and appropriate techniques to avoid displacing any shallow contamination to a greater depth.
  - ii) A Risk Assessment identifying both the aquifer and the abstraction point(s) as potential receptor(s) of contamination.
  - iii) A Method Statement detailing the depth and type of excavations (e.g. piling) to be undertaken including mitigation measures (e.g. appropriate piling design, off site monitoring boreholes etc.) to prevent and/or minimise any potential migration of pollutants to public water supply. Any excavations must be undertaken in accordance with the terms of the approved method statement.

Reason: To avoid displacing any shallow contamination to a greater depth and to prevent and/or minimise any potential migration of pollutants to a public water supply abstraction.

- 18 Prior to the commencement of development, details of a Surface Water Drainage Scheme shall be provided that prevents contamination of any public water supply abstractions present. This shall be submitted to and approved in writing by the Local Planning Authority in consultation with Affinity Water.

Reason: Surface water drainage can mobilise contaminants into the aquifer through infiltration in areas impacted by ground contamination. Surface water also has the potential to become contaminated and can enter the aquifer through open pathways, either created for drainage or moved towards existing open

pathways where existing drainage has reached capacity. All have the potential to impact public water supply.

- 19 No development (not including demolition) shall take place within the proposed development site until the applicant, or their agents, or their successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to the planning authority and approved in writing. This condition will only be considered to be discharged when the planning authority has received and approved an archaeological report of all the required archaeological works, and if appropriate, a commitment to publication has been made.

Reason: To ensure the protection of heritage assets in accordance with policies HA1 and HA3 of the District Plan 2018.

- 20 Prior to erection of the above-ground superstructure, a noise impact assessment shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the rating level of noise emitted from all external fixed plant and equipment at the development hereby approved shall not exceed 10dB below the background noise level when measured or calculated at 1 metre from the façade of the nearest noise sensitive property. The measurements and assessment shall be made according to BS 4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound' at the nearest and / or most affected noise sensitive premises, with all plant / equipment operating together at maximum capacity and inclusive of any penalty for tonal, impulsive or other distinctive acoustic characteristics. The development shall be undertaken in accordance with the approved details.

Reason: In order to ensure an adequate level of amenity for occupiers in the vicinity of the proposed development in accordance with Policy EQ2 Noise Pollution of the adopted East Herts District Plan 2018.

- 21 Prior to first use of the multi use games area (MUGA) hereby approved a Noise Management Plan (NMP) for use of the said pitch shall be submitted to and approved in writing by the Local Planning Authority and the Plan shall include the following:
- a) a method of informing users that any anti-social behaviour including swearing is unacceptable and that the centre reserves the right to dismiss users from the pitch and ban future use if this is the case;
  - b) confirmation that it will be a booking term / condition of use for users to abide by the above and that they understand their booking / use can be terminated with immediate effect for any breach;
  - c) arrangements for neighbours to be given a facility to report excessive noise or anti-social behaviour directly to the operator;
  - d) details of how any complaints received will be investigated and addressed quickly;
  - e) details of likely action to be taken where necessary and how any complainant will be kept informed of progress, especially where it is not possible to address or resolve complaints straight away;
  - f) provision for a written action plan to deal with complaints and confirmation that this will be provided to staff on site and that they will be made familiar with it;
  - g) confirmation that staff will have the ability and authority to warn or ban user groups from the pitches if any user(s) are in breach of the NMP.
  - h) a template form to log complaints received and the action(s) taken in respect thereof, including (as a minimum) the day, date and time of complaint, nature of complaint, member of staff receiving complaint, action taken, who by, and when and how complainant updated;
  - i) arrangements for the safe storing and ready-access to the complaint log, and confirmation that this will be provided to officers from the Council's Environment Team upon reasonable request;

Reason: In order to ensure an adequate level of amenity for residential occupiers in the vicinity of the proposed development in accordance with Policy EQ2 Noise Pollution of the adopted East Herts District Plan 2018.

- 22 The use of the Multi Use Games Area (MUGA) hereby approved shall be restricted to the hours of Monday to Friday from 08:00 to 22:00, Saturday from 09:00 to 20:00 hours and Sundays / Bank and Public Holidays from 09:00 to 20:00 hours.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with Policy EQ2 Noise Pollution of the adopted East Herts District Plan 2018.

- 23 All perimeter fencing for the Multi Use Games Area (MUGa) shall be fixed to the support posts with isolators as per the submitted documentation to fully isolate the panels from the posts, therefore reducing the 'rattling' noise associated with ball impacts on metal fencing.

Reason: In order to ensure an adequate level of amenity for residential occupiers in the vicinity of the proposed development in accordance with Policy EQ2 Noise Pollution of the adopted East Herts District Plan 2018.

- 24 Prior to erection of the temporary buildings on site a scheme of sound insulation shall be submitted to and approved in writing by the Local Planning Authority as necessary to achieve the 'good' internal room and external space amenity noise standards in accordance with the criteria of BS 8233:2014 'Guidance on sound insulation and noise reduction for buildings' within the temporary teacher accommodation. Approved details shall be implemented prior to first occupation of the temporary buildings and thereafter be permanently retained whilst these are on site.

Reason: In order to ensure an adequate level of amenity for future occupiers of the proposed development in accordance with Policy

EQ2 Noise Pollution and DES4 Design of Development of the adopted East Herts District Plan 2018.

- 25 In connection with all site preparation, construction and ancillary activities, working hours shall be restricted to 08:00 - 18:00 hours on Monday to Friday, 08:00 - 13:00 hours on Saturdays, and not at all on Sundays or Bank / Public Holidays. Vehicles arriving at and leaving the site must do so within these working hours.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with Policy EQ2 Noise Pollution of the adopted East Herts District Plan 2018.

- 26 At least 21 days prior to the commencement of any site works, all occupiers surrounding the site shall be notified in writing of the nature and duration of works to be undertaken. The name and contact details of a person responsible for the site works shall be made available for enquiries and complaints for the entire duration of the works and updates of work should be provided regularly. Any complaints shall be properly addressed as quickly as possible.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with Policy EQ2 Noise Pollution of the adopted East Herts District Plan 2018.

- 27 Best Practicable Means (BPM) shall be used in controlling dust emissions during all site preparation, construction and ancillary activities.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with Policy EQ4 Air Quality of the adopted East Herts District Plan 2018.

- 28 All waste materials and rubbish associated with site preparation and / or construction shall be contained on site in appropriate containers which, when full, shall be promptly removed to a licensed disposal site.

Reason: In order to ensure an adequate level of amenity for nearby residents in accordance with Policy EQ4 Air Quality of the adopted East Herts District Plan 2018.

- 29 Prior to the commencement of any piling works, details of the method of piling for the construction works, including a method statement and noise emissions, shall be submitted to and approved in writing by the local planning authority. All piling works shall be carried out in accordance with the agreed details.

Reason: In the interests of avoiding potential detrimental impacts on the amenity of occupiers of neighbouring properties in accordance with Policy EQ2 Noise Pollution of the adopted East Herts District Plan 2018.

- 30 The Electric Vehicle charging points shown on plan SRP1049-ONE-XX-XX-D-L-0001 Rev P16 shall be fast EV charging points and shall be provided in full prior to first use of the development hereby approved and shall be retained thereafter.

Reason: In order to promote sustainable transport in the District in accordance with Policy TRA1 Sustainable Transport, to minimise air quality impact at the design stage in accordance with Policy EQ4 Air Quality, and to incorporate high quality innovative design, new technologies and construction techniques, including zero or low carbon energy in accordance with Policy DES4 Design of Development of the adopted East Herts District Plan 2018.

- 31 If unexpected land contamination is encountered whilst undertaking the development which has not previously been identified, works shall immediately cease on site until the Local Planning Authority has been notified and the contamination has been fully assessed followed by the submission of a Site Investigation Report and Remediation Strategy.

Reason: To minimise and prevent pollution of the land and the water environment and in accordance with national planning policy guidance set out in section 11 of the National Planning Policy

Framework, and in order to protect human health and the environment in accordance with policy EQ1 of the adopted East Herts District Plan 2018.

- 32 Prior to the commencement of development and any landscaping works, a Biodiversity Gain Plan which details how a 17.17 % biodiversity net gain in area habitats and 0.97 Habitat units in hedgerows will be delivered shall be submitted to and approved in writing by the Local Planning Authority. It shall provide details of measures to maintain the long term biodiversity objectives, and who will have the management responsibilities. As such the plan shall include the following:
- Summary of the base line and post development biodiversity net gain data used to inform the metric.
  - A brief description of the location, area and species composition of planned (post-development) retained/ created / enhanced habitats.
  - A map showing the location, and area of these habitats
  - Details of the number and type and of ecological enhancements outlined within section 5.3 of the Ecological Impact Assessment by DeltaSimons (report date April 2023) and a map to show their location.
  - A Habitat Management and Monitoring Plan detailing the specific prescriptions as to how the target habitats and condition will be achieved and maintained for a period of 30 yrs.
  - The body or organisation responsible for implementation of the Plan and monitoring and remedial measures of the Plan.

The plan shall be implemented in accordance with the approved details and the programme as approved and the measures shall be maintained and retained thereafter.

Reason: To ensure that the agreed biodiversity gains are delivered and maintained in the interests of local biodiversity.

33 No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall be informed by the recommendations within the Ecological Impact Assessment by CSA Environmental (report date December 2022) include the following.

- Risk assessment of potentially damaging construction activities.
- Identification of "biodiversity protection zones
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- The location and timings of sensitive works to avoid harm to biodiversity features including nesting birds.
- The times during which construction when specialist ecologists need to be present on site to oversee works.
- Responsible persons and lines of communication.
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- Use of protective fences, exclusion barriers and warning signs if applicable.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance.

Reason: To ensure that ecology is protected on the site.

34 Prior to development above ground floor slab level full details of Bat and bird boxes and bricks to be implemented on the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided on site prior to first use of the development hereby approved and retained thereafter.

Reason: To provide ecological enhancement measures in accordance with policy NE3 of the District Plan 2018.



- 35 Prior to first use of the new permanent school building hereby approved, a statement setting out the specific design and security features and measures which will be incorporated into the development in order to address the Secured by Design (Schools) accreditation standards 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 for the lifetime of the development.

Reason: To ensure the safety of the school in accordance with policy DES5 of the District Plan 2018.

- 36 Prior to first use of the new school building hereby permitted a waste and recycling management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented on site.

Reason: To ensure that refuse and recycling will be appropriately stored and collected from the site in the interest of protecting the amenity of the site.

- 37 Prior to first use of the permanent school building hereby approved the bin storage details as shown within plan SRP1049-ONE-XX-XX-D-L-0001 Rev P16 and SRP1049-XX-XX-D-L-0603 Rev P02 shall be provided on site in full and retained thereafter for the storage of waste and recycling.

Reason: To ensure satisfactory waste storage on site.

- 38 The development shall be undertaken in full accordance with the details within the submitted Site Waste Management Plan for Pinewood School dated 24th May by Smartwaste.

Reason: To promote sustainable development and to ensure measures are in place to minimise waste generation and maximise the on-site and off-site reuse and recycling of waste materials.

- 39 The proposed development shall be carried out in accordance with the phases identified within plans SRP-BNK-00-00-DR-W-4000 Rev P06, SRP-BNK-00-00-DR-W-4001 Rev P06, SRP-BNK-00-00-DR-W-4002 Rev P06, and SRP-BNK-00-00-DR-W-4003 Rev P06.

Reason: To enable the Local Planning Authority to exercise control over the development.

- 40 Prior to the commencement of development (not including demolition) hereby approved, detailed plans showing the existing and proposed ground levels of the site relative to adjoining land, together with the slab levels and ridge heights of the proposed buildings, shall be submitted to, and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: The details are required to be approved prior to the commencement of development to ensure that the development is properly related to the levels of adjoining development in the interests of neighbour amenity and good design in accordance with Policy DES4 of the East Herts District Plan 2018.

- 41 Prior to the first use of the development hereby approved details of any external lighting proposed in connection with the development shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be implemented in accordance with the approved details. The submitted details shall show that all external artificial lighting at the development shall not exceed lux levels of vertical illumination at neighbouring premises that are recommended by the Institution of Lighting Professionals Guidance Note 01/20 'Guidance notes for the reduction of obtrusive light'. Lighting shall be minimized and glare and sky glow prevented by correctly using, locating, aiming and shielding luminaires, in accordance with the Guidance Note. The lights shall be fitted with a timer so as to automatically turn the lights off to ensure no use of the site can continue beyond the terminal times for said use.

Reason: In order to ensure an adequate level of amenity for the occupants of nearby properties in accordance with Policy EQ3 Light Pollution and DES4 Design of Development of the adopted East Herts District Plan 2018.

- 42 Prior to the first occupation of the permanent development hereby approved the cycle parking facilities shown within plans SRP1049-ONE-XX-XX-D-L-0604 Rev P02 and SRP1049-ONE-XX-XX-D-L-0608 Rev P01 shall be provided on site in full. The cycle parking shall thereafter be retained for the parking of bicycles.

Reason: To promote the use of sustainable transport modes, in accordance with Policy TRA1 of the East Herts District Plan 2018.

- 43 All existing trees and hedges shall be retained, unless shown on the approved drawings as being removed. All trees and hedges on and immediately adjoining the site shall be protected from damage as a result of works on the site, to the satisfaction of the Local Planning Authority in accordance with BS5837: 2012 Trees in relation to design, demolition and construction, or any subsequent relevant British Standard, for the duration of the works on site and until at least five years following contractual practical completion of the approved development. In the event that trees or hedging become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree or hedging dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

Reason: To ensure the continuity of amenity afforded by existing trees and hedges, in accordance with Policy DES3 of the East Herts District Plan 2018.

- 44 Prior to first use of the development hereby approved, details of landscaping shall be submitted and approved in writing and shall include full details of both hard and soft landscape proposals, finished levels or contours, hard surfacing materials, retained landscape features, planting plans, schedules of plants, species, planting sizes, density of planting and implementation timetable and thereafter the development shall be implemented in accordance with the approved details. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure the provision of amenity afforded by appropriate landscape design and the establishment and maintenance of a reasonable standard of landscaping in accordance with the approved designs, in accordance with policies DES3 and DES4 of the East Herts District Plan 2018.

- 45 Prior to the commencement of development (not including demolition) full plans of the plant room compound, exercise equipment and horticultural gardens shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in full accordance with the approved plans.

Reason: To ensure acceptable details for these elements.

- 46 The development shall be undertaken in full accordance with the details within the submitted Sustainability Statement HLEU85573 V1 dated March 2023.

Reason: To ensure climate change mitigation and adaptation and water resource savings on site in accordance with policies CC1, CC2, and WAT4 of the District Plan 2018.

- 47 Prior to the commencement of development above ground floor slab level full details of the bio-solar roof with green roof and solar panels shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in full accordance with the approved details.

Reason: To ensure sustainability improvements on site in accordance with policies CC1 and CC2 of the District Plan 2018.

### **Informatives:**

1. East Herts Council has considered the applicant's proposal in a positive and proactive manner with regard to the policies of the Development Plan and any relevant material considerations. The balance of the considerations is that permission should be granted.
2. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water Interest) etc. Neither does this permission negate or override any private covenants which may affect the land.
3. HCC Highways advise:  
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/highways-roads-and-pavements.aspx> or by telephoning 0300 1234047.

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/highways-roads-and-pavements.aspx> telephoning 0300 1234047.

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.

4. Electric vehicle charging point specification for domestic installations cable and circuitry ratings should be of an adequate size to ensure a minimum continuous current demand for the vehicle of 16A and a maximum demand of 32A (which is recommended for Eco Developments).
  - A separate dedicated circuit protected by an RCBO should be provided from the main distribution board, to a suitably enclosed termination point within a garage, or an accessible

enclosed termination point future connection to an external charging point.

- The electrical circuit shall comply with the electrical requirements of BS7671:2008 as well as conform to the IET code of practise on Electric Vehicle Charging Equipment Installation 2012 ISBN 978-1-84919-515-7.

Additional guidance on charge point installation is available from the Office for Zero Emission Vehicles at

<https://www.gov.uk/government/organisations/office-for-zero-emission-vehicles>

5. If bats, or evidence for them, are discovered during the course of works, work must stop immediately, and advice sought on how to proceed lawfully from an appropriately qualified and experienced Ecologist or Natural England to avoid an offence being committed.
6. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 0203577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://www.thameswater.co.uk/developers/larger-scaleddevelopments/planning-your-development/working-near-our-pipes>

The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection (available at: <https://www.gov.uk/government/publications/groundwater-protection-position-statements>) and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at: [www.thameswater.co.uk/buildingwater](http://www.thameswater.co.uk/buildingwater)

### Plans for approval:

Plan Ref	Version	Received
SRP1049-ONE-XX-XX-D-L-0018	P03	3rd April 2023
SRP1049-ONE-XX-XX-D-L-0014	P04	3rd April 2023
SRP1049-CPM-01-ZZ-D-A-2015	P03	21st September 2023
SRP1049-ONE-XX-XX-D-L-0010	P04	3rd April 2023
SRP1049-ONE-XX-XX-D-L-0001	P16	22 <sup>nd</sup> November 2023
SRP1049-CPM-01-00-D-A-2020	P14	24th October 2023



SRP1049-CPM-01-01-D-A-2021	P14	24th October 2023
SRP1049-CPM-01-02-D-A-2022	P16	24th October 2023
SRP1049-CPM-01-ZZ-D-A-2010	P16	24th October 2023
SRP1049-CPM-01-ZZ-D-A-2001	P07	21st September 2023
SRP1049-CPM-01-ZZ-D-A-2002	P02	21st September 2023
SRP1049-CPM-01-ZZ-D-A-2011	P03	21st September 2023
SRP1049-CPM-01-ZZ-D-A-2012	P02	21st September 2023
SRP1049-CPM-01-ZZ-D-A-2167	P04	24th October 2023
SRP1049-CPM-01-00-D-A-2026	P01	24th October 2023
SRP1049-CPM-01-01-D-A-2027	P01	24th October 2023
SRP1049-CPM-01-RF-D-A-2028	P01	24th October 2023
SRP1049-CPM-01-ZZ-D-A-2016	P01	24th October 2023
SRP1049-CPM-01-ZZ-D-A-2017	P01	24th October 2023
SRP1049-ONE-XX-XX-D-L-0016	P08	22nd November 2023
SRP1049-ONE-XX-XX-D-L-0404	P07	22nd November 2023
SRP1049-ONE-XX-XX-D-L-0607	P01	21st November 2023

SRP1049-ONE-XX-XX-D-L-0605	P02	21st September 2023
SRP1049-AFP-ZZ-00-D-0-4001	P01	17th August 2023
SRP1049-ONE-XX-XX-D-L-0608	P01	24th October 2023
SRP1049-ONE-XX-XX-D-L-0606	P03	24th October 2023
SRP1049-ONE-XX-XX-D-L-0603	P02	21st September 2023
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EDS 07-3102.01 Sheet 2 of 3	A	27th October 2023
EDS 07-3102.01 Sheet 3 of 3	A	27th October 2023
SRP1049-ONE-XX-XX-D-L-0017	P09	22nd November 2023
216 22 01	S-3	3rd April 2023
216 22 04	S-0	3rd April 2023
216 22 05	S-1	3rd April 2023
SRP-BNK-00-00-DR-W-4000	P06	23rd March 2023
SRP-BNK-00-00-DR-W-4001	P06	23rd March 2023
SRP-BNK-00-00-DR-W-4002	P06	23rd March 2023
SRP-BNK-00-00-DR-W-4003	P06	23rd March 2023
SRP1049-ONE-XX-XX-D-L-0604	P02	22 <sup>nd</sup> November 2023
SRP1049-ONE-XX-XX-D-L-0608	P01	24 <sup>th</sup> October 2023