
Appeal Decision

Hearing held on 28 May 2026

Site visit made on 28 May 2026

by David Wyborn BSc(Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th June 2026

Appeal Ref: 6003023

Land off Newgatestreet Road and Hammondstreet Road, Laurel Park, Broxbourne EN7 6PH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Aurora Group and Yogo Group against the decision of Broxbourne Borough Council.
 - The application Ref is 07/25/0222/F.
 - The development proposed is a hybrid planning application for:
 - (1) Full planning permission for demolition of existing buildings.
 - (2) Full planning permission for the erection of a special education needs establishment (use class F1) including scale, access, landscaping and associated infrastructure.
 - (3) Outline planning permission for up to 90 homes (use class C3) with all matters reserved except for access.
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Decision

1. The appeal is allowed and planning permission is granted for a hybrid planning application for: (1) Full planning permission for demolition of existing buildings, (2) Full planning permission for the erection of a special education needs establishment (use class F1) including scale, access, landscaping and associated infrastructure, (3) Outline planning permission for up to 90 homes (use class C3) with all matters reserved except for access at land off Newgatestreet Road and Hammondstreet Road, Laurel Park, Broxbourne EN7 6PH in accordance with the terms of the application Ref 07/25/0222/F and subject to the conditions in the attached schedule.

Preliminary Matters

2. The appeal site is a rectangular shaped field, bounded by the Hammondstreet Road to the north, Newgatestreet Road to the west and, beyond the green strip of public land, the residential development of Richardson Crescent to the east.
3. There are two main elements to the scheme. On the northern, larger section of the site, outline planning permission for up to 90 homes is sought. For this outline aspect of the development, access is to be considered at this stage. If permission was to be granted, then scale, appearance, landscaping and layout would be subsequently considered at the reserved matters stage. Other than the access details for consideration, I have treated the other details on the masterplan and other plans as indicative of what the appellant has in mind for the housing including for the layout and design of the residential element.

4. The other component of the development seeks full planning permission, on the southern, smaller section of the appeal site, for a Special Educational Needs (SEN) school.
5. A planning agreement with a wide range of obligations also forms part of the proposal. I will consider this matter later in this decision.
6. The scheme was recommended for approval in the report to the Council's Planning and Regulatory Committee. However, the Committee refused the application because the location was considered unacceptable as it would not allow occupants and users a genuine choice of sustainable transport options. The scheme was, however, not refused because of its location within the Green Belt or that there was any conflict with Green Belt policy. Subsequently, the Council took legal advice and reconsidered its position. It decided not to defend the reason for refusal at the appeal and this information was confirmed at the hearing.
7. I am conscious that many local residents, and others including the CPRE, agreed with the decision to refuse the proposal. This was particularly on the locational sustainability issue and also because the development was argued would be inappropriate development in the Green Belt. Given that these are fundamental issues, during the hearing and below in this decision, I have considered them as the main issues in this appeal.

Main Issues

8. The main issues are:
 - whether or not the site is suitable for the development proposed having regard to whether or not the occupants and users of the site would have a genuine choice of sustainable transport modes, and
 - whether or not the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework) and Policy GB1 of the Broxbourne Local Plan 2018-2033 (June 2020) (the Local Plan).

Reasons

Location

9. Policy TM1 of the Local Plan sets the sustainable transport requirements for new development including that all major development proposals should show how ways to reduce car use and promote alternative ways to travel have been considered and incorporated into the development. Policy TM2 of the Local Plan addresses transport and new development including the requirement for Travel Plans for major development and that appropriate design and traffic calming measures should be incorporated to meet the needs of various movement corridor users.
10. These policies are complemented by the approach of the National Planning Policy Framework (the Framework) with regard to promoting sustainable transport. It is explained that the planning system should actively manage patterns of growth in support of a range of objectives, including identifying and pursuing opportunities to promote walking, cycling and public transport use. The Framework also explains that significant development should be focused on locations which are or can be

made sustainable, through limiting the need for travel and offering a genuine choice of transport modes.

11. The site for the housing and the school is located to the west of an estate of housing beyond the edge of this part of the built-up area. Residents of the proposed housing and staff at the school would have access by foot to the convenience store to the east where there is also the nursery school. There is an early morning, but limited in extent, C1 bus service to Cuffley Railway Station, and which also provides a limited service back in the evening. Nevertheless, for some commuters this could be an option to travel by rail services.
12. Also, although a reasonable distance along Hammondstreet Road, it would be possible to walk to and from the Smiths Lane bus stop and access the 251 bus service. This bus provides a regular service to and from Waltham Abbey via the outskirts of central Cheshunt. I also heard at the hearing that some older children living nearby to the appeal site walk to and from Goffs Oak to catch the bus from there to the academies in Cheshunt.
13. Cycling is also a reasonable option for some including to access the medical centre and library at Goffs Oak. With an electric bicycle I heard that it is possible for some to cycle to and from Cuffley Railway Station, with the bicycle battery helping with the steep hill on the way back. This would be about a 10 minute cycle ride each way.
14. There are also public rights of way in the general area and the Council owned recreation land and play area to the south of the adjoining housing in Richardson Crescent and Gladding Road provide local public recreational land and walking routes.
15. Generally, therefore, the occupants of the proposed housing would have options to access services, facilities, employment and some recreation other than by solely the private vehicle. The same would also be the case for staff at the school, who dependent on where they lived, could access the site by bus, cycle or walking, or potentially via Cuffley Station. The location has, therefore, some positive sustainable transport credentials.
16. However, the policy approach both in the Local Plan and the Framework requires that schemes show how car use is to be reduced and alternative ways to travel have been considered and incorporated into the development.
17. In this case, the scheme incorporates a range of measures to increase the offer of a genuine choice of transport modes. For instance, the planning agreement provides a sum of £875,000 towards improvements to the C1 bus service. This sum has been calculated by Hertfordshire County Council as the Highway Authority and would provide improvements to the service over a 5 year period. I consider that this would be a very worthwhile addition to the bus services in the area and would likely have the effect of encouraging local residents to take the bus on more occasions, as an alternative to the private vehicle.
18. Travel plans are proposed for both the residential and school uses to encourage sustainable transport options, and the provision of sustainable transport vouchers for each new unit of accommodation would incentivise the uptake of public transport, cycling and walking.

19. A significant component of the scheme is the highway works that would take place along Hammondstreet Road and Newgatestreet Road, and at the junction of these two roads. These works include the extension of the 30mph speed limit to the west to within Darnicle Hill and to the south beyond the proposed school in Newgatestreet Road. Footway widening works are planned, together with uncontrolled and signalised pedestrian crossings, new bus stops by the school that could also serve the new housing, and traffic calming measures including raised road tables. This comprehensive set of measures would have the effect of slowing traffic and making this section of the road and the surroundings more attractive for walkers and cyclists. There would be corresponding benefits for other local residents who walk and cycle in the area as well.
20. With the school, generally SEN pupils require personal transport to such schools and that would be the case wherever the school was located. The Travel Plan would assist in encouraging the staff (58 full time and 12 part time) and those transporting the up to 88 pupils to and from the school to adopt as sustainable transport options and modes as possible. The school operators have indicated that they would use electric minibuses and that taxis would accommodate more than one pupil. There would be electric charging points on site (and with the houses as part of the residential scheme) to encourage staff to use an electric vehicle.
21. The evidence indicates that there is an undersupply of SEN places across Hertfordshire and that some pupils cannot find appropriate school places for their needs and 220 Hertfordshire SEND pupils are placed out of county¹. The provision of the SEN school in this location, where there is no similar provision in the Cheshunt area, would be likely to reduce the length of journeys for some pupils and therefore in sustainability terms would be of benefit. The planning agreement allows Hertfordshire County Council first refusal of any place that was available and it appears reasonable to assume that the Council would minimise its pupil distance journeys as a matter of best practice. In these circumstances, I am satisfied that this position for the school, at the edge of the built-up area, would be an appropriate location for a SEN school.
22. Taken together, the proposals for the residential and school sites, including taking into account the highway works, Travel Plans, vouchers, bus contribution through to the requirements for EV charging sockets and pedestrian access points that lead to the recreational areas and footpaths, would all combine to provide an effective package of measures. This would materially assist occupants of the residential scheme and staff/users of the school to have genuine choices for sustainable transport options.
23. The Council, after reflection, also came to this conclusion. While I have very carefully considered the concerns of local residents and others, and inevitably some occupants/staff would decide or need to travel by the private vehicle, I am satisfied that the proposal, when considered as a whole, would provide the housing occupants and the school users/staff with a genuine choice of sustainable transport modes.
24. This judgement is also supported by the decisions of the Council in permitting a number of housing schemes in the vicinity of the appeal site in recent years. These sites, with appropriate and proportionate support for improvements to transport

¹ Page 39 of the Statement of Common Ground.

options, has allowed the Council to conclude that the locations were acceptable from a sustainable transport perspective. These permissions include land at Darnicle Hill for 24 units and land at Cross Nursery for 14 units. I have taken all these permissions into account and consider that, having regard to the key elements of the proposal, in particular the highway works which would benefit all local residents, that the cumulative highway impacts would be acceptable. The Highway Authority has not raised any highway safety issues in relation to the scheme either alone or in conjunction with other schemes and I agree with this conclusion.

25. I therefore conclude that the site for the housing and the school would be suitably located from a transport sustainability perspective. With the proposed measures that form part of the proposal there would be compliance with Policies TM1 and TM2 of the Local Plan and the Framework, in particular paragraphs 110 and 115, which notably seek to ensure that new development identifies and pursues opportunities to promote walking, cycling and public transport use.

Green Belt

26. The site is located within the Green Belt. In deciding whether or not the scheme would be inappropriate development, it is first necessary to examine whether or not the site should be considered to be grey belt land in terms of the Framework. If so, the final consideration is to determine whether or not there would be compliance with paragraphs 155 and 156 of the Framework.
27. The Glossary to the Framework provides a definition of grey belt. The Green Belt section of the Planning Practice Guidance also provides assistance in identifying relevant features that help with an assessment of grey belt land and its contribution to the Green Belt.
28. Grey belt can comprise previously developed land and/or any other land and therefore the site, although with some limited areas of previously developed land has mainly other land. This part of the definition is met. It is also necessary to decide whether the land does or does not strongly contribute to any of the Green Belt purposes (a), (b) or (d).
29. Green Belt purpose (a) is to check the unrestricted sprawl of large built-up areas. The appeal land adjoins the built-up area to the east where it is bounded by housing. To the north, there is the physical boundary feature of Hammondstreet Road and to the west the similar physical feature of Newgatestreet Road. There is some housing, in a general straggly form, fronting the road to the south. These physical features would restrict and contain the development and would not result in an incongruous pattern of development in the context of the surroundings. The footways and street lighting along the roads that border the site, and the wider context of buildings to the south and east, provide some elements of an urbanising influence to the area in which the appeal site is located. In these circumstances I conclude that the appeal site makes a moderate, and not a strong, contribution to Green Belt purpose (a).
30. Green Belt purpose (b) seeks to prevent neighbouring towns from merging into one another. There is the town of Cheshunt to the broadly east, Goffs Oak to the south and Cuffley to the southwest. However, the site does not contribute to or form a meaningful gap between towns as there is not a settlement to the broadly

west, and the land is a reasonable distance and separated from Goffs Oak and Cuffley. The site makes a weak contribution to this purpose.

31. Green Belt purpose (d) is to preserve the setting and special character of historic towns. The appeal site does not form part of the setting to an historic town and therefore the appeal development would not undermine this Green Belt purpose.
32. There are no protected areas or assets listed in footnote 7 (other than Green Belt) of the Framework that would provide a strong reason for refusing or restricting development. Given my conclusions set out above on the effect of the development on the three purposes, the appeal site should be considered grey belt within the meaning of the Framework.
33. It is then necessary to examine paragraph 155 of the Framework which lists further criteria that must be met for the development of homes, commercial and other development in the Green Belt to be considered not inappropriate. In terms of criterion (a) of paragraph 155, the appeal site is a very modest area of land in comparison with the extent of the remaining Green Belt land across the plan area. Accordingly, given the size of this grey belt site, the scheme would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. This criterion would be met.
34. There is a demonstrable need for the housing, as the housing land supply figure is 2.13 years against a requirement of at least 5 years. In terms of the need for the SEN school, the evidence indicates that 17 of the 33 Hertfordshire special schools are operating at or over 100% capacity, there are currently 300 children with SEND² placed independently as a bridge measure, there is an increasing number of children with Education, Health and Care Plans (223% increase between 2015 and 2025) and Hertfordshire County Council forecast the majority of SEND types will experience an accelerating deficit of provision in coming years. The Statement of Common Ground states that it is agreed that Hertfordshire County Council cannot meet its legal obligations to provide sufficient and appropriate SEND places in the county. Based on this evidence, it is concluded that there is a demonstrable unmet need for both the housing and the SEN school and criterion (b) of paragraph 155 is met.
35. Criterion (c) requires that the development would be in a sustainable location and I have concluded that this would be the case when considering the first main issue in this appeal.
36. The SEN school would, therefore, meet with the requirements of paragraph 155 and would not be inappropriate development within the Green Belt.
37. For the housing, there are additional tests, and it is necessary to go on and consider paragraph 156 of the Framework, which sets out the 'Golden Rules'.
38. The scheme would deliver 50% affordable housing, provide necessary improvements to the highway infrastructure as part of the scheme and would provide new green space on site and provide direct pedestrian access to the good quality green space and play area south of Richardson Crescent and Gladding Road. The scheme would therefore meet with the 'Golden Rules'. As a

² Special Educational Needs and Disabilities.

consequence of this analysis, the residential part of the scheme would also not be inappropriate development in the Green Belt.

39. I therefore conclude that the scheme would not be inappropriate development in the Green Belt. There would be compliance with the Framework and Policy GB1 of the Local Plan which set the approach to development in the Green Belt. There is, therefore, no need for the scheme to demonstrate very special circumstances.

Habitats Regulation Assessment

40. The site is reasonably close to the Wormley Hoddesdonpark Woods Special Area of Conservation (SAC). This area of woodland could be accessed by new residents of the housing by walking north along the public right of way from the junction at the north west corner of the site. The SAC is significant, in particular, for its oak and hornbeam woodland. Natural England consider that, without appropriate mitigation, recreational pressure from new residents could adversely affect the integrity of the SAC.
41. The appellant, at the application stage, updated the shadow appropriate assessment report (Three Shires Ltd – August 2025) to detail the mitigation measures to address the potential recreational impacts. I consulted Natural England on this document and it responded that, providing four mitigation measures were secured as part of the scheme, then this would mitigate the adverse effects and make the development acceptable. I am satisfied that the four measures can be secured as part of the scheme in the following ways.
42. Looking at these mitigation measures in detail, the provision of green space on the site can be secured by condition. While the residential layout in the form of the masterplan is only indicative, a condition that required the same quantity, quality and purpose of open space at the reserved matters stage would secure a scheme with at least the same extent of open space as that indicatively proposed as part of the outline and on which Natural England has commented. Links to adjoining green space would be secured as pedestrian routes to the surroundings form part of the access details to be agreed at this outline stage.
43. A financial contribution of £50,000 for the management of the Hammondstreet Road playing fields has been secured and forms one of the obligations in the planning agreement. This is one of the mitigation measures listed by Natural England
44. The provision of information packs to all new households which would detail the sensitive use of the SAC and local ecology, and highlight alternative walking and cycling routes can be made a requirement of a planning condition in any approval. A planning condition could also require the installation of notice boards and waymarking to alternative green spaces on the site and nearby. Again, these are mitigation measures referenced by Natural England.
45. To conclude, the requirements of Natural England can be secured as part of any permission. In these circumstances, as the Competent Authority and when undertaking the appropriate assessment, I am satisfied that the proposal, either alone or in combination with other schemes, would not have a likely significant or adverse effect on the integrity of the SAC. Accordingly, the scheme would comply with the requirements of the Conservation of Habitats and Species Regulations 2017.

Other Matters

46. There have been a wide range of objections to the scheme including from local residents, Lewis Cocking MP and the CPRE. Two of the key objections that have been raised have been considered under the main issues above.
47. In terms of the effect of the development on the area, the appeal site is a field with a small number of buildings set in from the boundaries. This land is screened to a large extent by boundary vegetation and even in the winter months the vegetation would provide an effective buffer around the site and, other than the new access points, is intended to remain. The site is close to the housing development at Richardson Crescent and the footways and street lighting on Hammondstreet Road and on Newgatestreet Road³ provide some association and visual connection of the site with the adjoining built form rather than with more open countryside. There is also the straggle of houses to the south that adjoin the road and provide some further built context and association with the appeal site.
48. The change from an undeveloped field to housing and a school would lead to a clear change in character of the site. However, the position and appearance of the site would mean that the effect of the change in character would be localised. I agree with the analysis in the Landscape and Visual Impact Appraisal⁴ that the proposed development can be accommodated without any adverse effects on the prevailing landscape character of the wider area, and in local views it would not appear discordant or inappropriate in its context. I am satisfied, when taking into account the indicative masterplan, that the density of development and the provision of up to 90 units would be acceptable and could successfully integrate within the local area. However, inevitably there would be a change in character resulting from the development of this space, and this would be perceived from around the boundaries of the site such that I consider that there would be a minor adverse visual effect experienced from these local areas.
49. Local residents have raised extensive concerns not only with the effect of this scheme but also the combined effects with other housing schemes under construction and those planned in the area. At my site visit I saw a number of housing developments being built and I am aware of other permitted housing schemes which have not yet commenced. I understand the concerns that are being expressed about the cumulative impacts. However, because the Council is unable to demonstrate a five year supply of housing land it is vulnerable to sites coming forward for consideration on land not identified in the Local Plan, such as the appeal site. These sites, in the Broxbourne Council area, are likely to be in the Green Belt. The introduction of the Framework concept of grey belt land and the 'Golden Rules' can now, subject to meeting the policy requirements, provide an additional approach that may allow housing and other development.
50. Local residents are clearly concerned that residential development is not providing, in tandem, the necessary infrastructure, such as doctors surgeries and schools, to meet the needs of existing and new residents. The Council does not have a CIL charging schedule and negotiates s106 payments for each scheme. That has happened in this case, and the planning agreement, which is discussed below, provides, amongst a range of contributions, such monies for new patient registrations (£1,672 per unit) and schools (over £2m) to meet the requirements of

³ The footway is only on one side of the road in Newgatestreet Road.

⁴ Bryant Landscape Planning – February 2025.

the respective public bodies who would then provide the infrastructure. The scheme in this case provides all the monies, with the two exceptions listed, for the related infrastructure that has been sought. There is no Council objection to the scheme in these terms and I have found no reason to disagree.

51. Both the housing and the school development would result in a reduction in the area units for biodiversity, although there would be an increase in linear/hedgerow units. There is a requirement that both the housing and school deliver a 10% increase in Biodiversity Net Gain (BNG). In this case, this would be achieved by the provision of the landscaping scheme and related biodiversity on site, and off-site delivery of biodiversity units to meet the required 10% uplift. This was discussed at the hearing and I am satisfied that the proposed planning conditions and related obligations in the planning agreement would ensure that the scheme would meet its legal requirements for BNG.
52. While most of the representations from local residents and others raise concerns with the SEN school because of its location, there is some support for the school element of the proposal and I have taken that into account as part of my considerations.

Planning Obligations

53. A completed planning agreement under s106 of the Town and Country Planning Act 1990 accompanies the proposal. The planning agreement contains a wide range of obligations and each obligation should only be sought where it meets the tests set out in the Community Infrastructure Levy Regulations 2010. These tests are also listed in the Framework and explain that obligations must be necessary to make the development acceptable in planning terms, be directly related to the development, and be fairly and reasonably related in scale and kind to the development. I have assessed all the obligations against these tests.
54. The Council has provided an Obligations Compliance Statement that evidences the requirement for each obligation. Policy PO1 of the Local Plan explains the policy circumstances when obligations will be sought.
55. Looking at the individual obligations in turn, the affordable housing obligations are necessary to comply with the 'Golden Rules' for development in the Green Belt and to meet a Local Plan requirement for this type of housing including mix and tenure, given the unmet need in the area. I attach these obligations full weight.
56. The highway works obligations are necessary to ensure that the road improvements take place in a planned and effective way to provide the road safety and sustainability benefits for all users, including cyclists and pedestrians. This is a necessary requirement of Hertfordshire County Council as Highway Authority. I attach these obligations full weight.
57. I attach full weight to the fire hydrant obligations as this is a necessary fire safety requirement, sought by the Fire Rescue Service. Both the residential and school travel plans are necessary obligations, with the related monitoring fees, to ensure that the scheme provides sustainable transport opportunities, complies with the Framework and Local Plan, and accords with the requirements of Hertfordshire County Council as Highway Authority. I attach these obligations full weight.

58. The Pupil Placement Scheme obligations, including to prioritise pupils from Hertfordshire, is necessary in the interests of meeting the needs of children in a way that minimises travel and addresses the county shortfall in places. I attach these obligations full weight.
59. The “contributions”, detailed in the definitions and interpretations section of the planning agreement and which are the subject of Schedule 6 of the agreement, are all necessary. These include financial contributions to the bus service, playing fields, childcare, Fire and Rescue Service, library services, primary education, secondary education, waste services, youth services and new patient registrations. The justification for these contributions has been detailed in the Obligations Compliance Statement and includes related information from Hertfordshire County Council and NHS Hertfordshire and West Essex Integrated Care Board. The playing fields contribution is also necessary to help mitigate the impacts on the SAC. I am satisfied that each and every contribution is necessary and I attach each one full weight.
60. The BNG obligations are necessary to ensure that the requirements of the related legislation would be met and I attach them full weight. The obligations for the residential management plan are necessary to ensure that all managed areas within the residential section of the site are suitably maintained in the interests of biodiversity and the visual appearance of the area. I attach these obligations full weight.
61. Schedule 9 of the agreement obligates the Council to apply each contribution for the designated purpose and, if those contributions are not spent, allocated, committed or used, in time, to repay those contributions. This is necessary and reasonable as the Council should not hold contributions that within a reasonable period it cannot use. I attach the requirements of this schedule full weight.
62. To conclude, I am satisfied that all the obligations, including monitoring fees, both individually and cumulatively, are necessary and meet with the Community Infrastructure Levy Regulations 2010 requirements for obligations.
63. Two other contributions were also raised as part of the considerations of the planning application. One was for a SEN financial contribution. However, a SEN school is being provided as part of the development and this makes an important contribution to the SEN provision in the area. In these circumstances, a SEN financial contribution would not be necessary to make the scheme acceptable in planning terms, or reasonably and fairly related in scale or kind to the proposal. It is not included as an obligation and I agree with this approach.
64. The East of England Ambulance Service NHS Trust sought a financial contribution for the relocation and expansion of the existing Hemel Hempstead Ambulance Hub⁵. However, based on the information that I have, it would appear that this ambulance hub is not the one that would primarily serve the residential and school development, if needed because of the distances involved. Therefore, I am not satisfied that this contribution would be necessary because it would not be directly related to the development, nor would it be fairly and reasonably related in scale and kind to the development. It is not included as an obligation and I agree with

⁵ The letter refers to the Harlow Hempstead hub and even if it was considered that the letter meant the Harlow Hub the letter also lists those ambulance stations that, were the application to be successful, would respond to the incidents in the appeal site area, and the Harlow hub is not one of those listed.

this approach. This was also the view of the Council when it considered the application.

65. The residential and the school elements of the development are proposed to operate independently of each other and one part of the scheme is not reliant on the other going ahead. For the avoidance of doubt, I am satisfied that there is no planning need or planning justification to have an obligation or planning condition that links or makes one aspect of the scheme contingent on the other.

Planning Balance

66. When the highway measures and other related beneficial aspects such as the travel plans and bus service contributions are taken into account, both the residential and the school elements of the scheme would be located satisfactorily from a sustainable transport perspective. Furthermore, the proposal would not be inappropriate development in the Green Belt. In these circumstances, I am satisfied there would not be a conflict with Policy DS1 which sets the development strategy of the Local Plan.
67. The scheme would provide a good and appropriate design and although there would be a localised, minor adverse effect on the character of the area with the change from undeveloped to developed land, this is a fairly inevitable effect of this type of proposal. When considered in the round, I am satisfied that the scheme would comply with the development plan when considered as a whole.
68. The Council is only able to identify a 2.13 year supply of housing land and there is an acknowledged and serious shortfall of SEN school places. In both cases, this results in the presumption in favour of sustainable development as set out in paragraph 11d of the Framework being engaged. This means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole. There are no protected areas or assets of particular importance that would provide a strong reason for refusal. When assessing the presumption, the Framework requires particular regard to be had to directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes.
69. There would be a wide range of benefits which have been analysed and quantified in the Socio-economic Impact Report (Propernomics February 2026) and are listed in the Statement of Common Ground. These include the provision of 89 additional units of residential accommodation and, with the poor supply of housing land, this addition to the supply should merit substantial weight. The 50% provision of affordable units is a separate benefit and, in a Borough where there are 1,686 households on the housing register (2025) and an average delivery of 124 affordable units per year since 2020, the provision of the affordable units should merit very substantial weight.
70. The provision of the SEN school, at no cost to the Education Authority and with the first refusal of places to those within the county, would help to meet some of the shortfall and in a situation where there is an increasing need for such places. The school would reduce the need for out of county travel of pupils and should be considered a very substantial benefit.

71. There would be considerable economic benefits from the development, with the Socio-economic Impact Report calculating the construction costs of the development amount to £33.7m and the added value of the investment to the wider economy amounting to about £98m. It is estimated that the works could create up to 400 jobs during the construction period and the school would create 58 full time and 12 part time roles when in full operation. These socio-economic benefits should be attributed substantial weight.
72. While some of the obligations would mitigate the effects of the scheme, others such as the contribution to improve the bus service, the highway works to reduce the speed limit with the provision of crossings and physical speed calming measures and the contribution to Hammondstreet Road playing fields would be of wider benefit to other local residents. There would also be an improvement to BNG when off-site improvements were taken into account. The indicative masterplan and other details provides confidence that the housing should be of a good design and layout. The school site would provide an attractive group of buildings that would have facilities and landscaped areas to provide a pleasant and suitable environment for the SEN pupils.
73. Overall, the cumulative benefits of the housing and the school development would be considerable and would be supported by policies in the Framework. In particular the scheme would direct development to a sustainable location, make effective use of land, secure a well-designed place and provide affordable housing. The collective benefits should merit very substantial weight in favour of approval. On the other hand, there would be a localised, minor adverse effect on the character of the area which should weigh to a limited extent against the scheme. The weight of planning benefits, balanced against the harms, are therefore overwhelmingly in favour of the scheme.
74. It follows that the planning permission should be granted because the adverse impacts would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole. Both elements of the proposal would be sustainable development within the meaning of the Framework.

Conditions

75. I have had regard to the agreed list of conditions which formed part of the Statement of Common Ground. The individual conditions were discussed at the hearing. I have amended the wording of some conditions, along the lines discussed at the hearing, where necessary in the interests of clarity or to meet the tests in the Planning Practice Guidance.
76. I have also re-ordered the conditions to separate out those that apply only to the residential element, those that apply only to the school element and those conditions which apply to both. I have also, as discussed, divided some conditions so that the requirements for the residential element and the school element are now separate. This should help with the clearance of conditions, allow the works to take place independent of each other and provide more clarity were it to be necessary to check compliance with any condition.
77. I have not included, as discussed at the hearing, those suggested conditions which were related to matters that would be submitted and agreed as part of the reserved matters, such as landscaping for the residential element. Such conditions

are not necessary at this stage and can be dealt with later in the process. I also do not consider that it would be reasonable to seek to control the hours and days of use for the school as this would be overly restrictive and not necessary to make the development acceptable. There is no persuasive evidence that the use of the school, subject to controls on the use of the MUGA, should cause undue impact on neighbours or the area.

78. In terms of the conditions listed in the Schedule, conditions 1, 2 and 3 are required for the outline part of the development to set the time scales for the submission of reserved matters and aspects of the details to be submitted. Condition 20 provides the time period for the school development and the approved plans in the interests of certainty. Condition 44 requires the scheme to take place in accordance with the approved plans.
79. Condition 4 (residential) and condition 30 (school) set the requirements for Construction Traffic Management Plans to ensure that works are undertaken in a safe way and in the interests of the amenities of the area. Foul water disposal details (conditions 5 and 31) are necessary to meet the requirements of Thames Water and to ensure satisfactory sewage disposal in the interests of the amenities of future occupiers, and the health and safety of those in the area. Details of surface water management, temporary drainage and sustainable drainage schemes (conditions 6, 7, 8, 9, 32, 33, 34 and 35) are necessary to ensure drainage is secured, fit for purpose and would not lead to flooding.
80. EV charging points (conditions 10 and 36) are necessary to comply with the Local Plan Policy TM4 and in the interests of encouraging sustainable transport options. Construction Environmental Management Plans (conditions 11 and 37) are necessary to ensure that the construction works take place in accordance with best practice, do not cause pollution, a safety hazard or undue amenity issues to neighbours.
81. Conditions 12 and 38 are necessary to address any unexpected contamination and condition 49 to ensure any imported soil is suitable, all in the interests of the safe use and occupation of the site. Agreement to external lighting (conditions 13 and 39) is necessary to protect the amenities of local residents and wildlife, especially bats. Information packs for households of the residential development (condition 14), the provision of open space minimum requirements (condition 17) and notice boards and waymarking (condition 18) are necessary as part of the mitigation measures to protect the SAC.
82. Conditions which help to ensure BNG, together with the related details to be submitted, (conditions 15, 16, 41 and 42) are necessary to meet the related legal requirements and provide the uplift in BNG in an agreed way. The addition of swift bricks to the residential properties (condition 19) is necessary in the interests of providing an appropriate habitat for swifts and to seek to off-set some of the loss of biodiversity on this site resulting from the development.
83. In relation to the school, agreement to external materials, arboricultural works and landscaping is necessary in the interests of the visual amenities of the area and protection of trees (conditions 21, 22, 23, 24, 25 and 26). The provision of cycle parking for the school (condition 27) is necessary to promote sustainable transport options. The provision of hard surfaced vehicular access and pedestrian routes (condition 28) and a Parking, Delivery, Servicing & Emergency Vehicle

Management Plan (condition 29) are necessary to ensure the appropriate, safe and efficient management of vehicles using the site.

84. In the interests of the amenities of local residents, the use of the MUGA floodlighting should be restricted to the specified hours, which having heard the discussion at the hearing, I find reasonable (condition 40). In accordance with the Noise Statement for Planning, an acoustic fence is required to safeguard the amenities of nearby residential properties in relation to the use of the MUGA (condition 43).
85. In the interests of the provision of the highway works to reduce traffic speeds, aid walkers and cyclists, and to provide safe accesses to the highway, conditions 45, 46, 47 and 48 are necessary. Finally, to ensure that works take place at times that do not unreasonably affect the living conditions of local residents, condition 50 is required to restrict the hours of construction.

Conclusion

86. The residential and the school development, both individually and collectively, comply with the development plan when considered as a whole. The balance of other considerations, including that both elements of the development represent sustainable development within the meaning of the Framework, also weighs very heavily in favour of the proposals. Consequently, both the residential and the school development are acceptable, both individually and collectively. Given my findings on this matter, I have not needed to consider, for those pupils who could attend the school, the Public Sector Equality Duty and the UN Convention on the Rights of the Child because no SEN pupil would be disadvantaged by this decision.
87. Accordingly, the appeal should succeed and planning permission should be granted, subject to the listed planning conditions and obligations.

David Wyborn

INSPECTOR

APPEARANCES

FOR THE APPELLANT

Sasha White KC	Counsel for Aurora Group and Yogo Group
Adam Gosling MRTPI	Executive Director, hgh Consulting
David Holdaway MSc MCIHT	Director, Velocity Transport Planning
Neil Roskilly BA Hons PGCE NPQH FRGS FRSA	Independent Education Consultant
James Kon	Asserson Solicitors

FOR THE LOCAL PLANNING AUTHORITY

Matthew Gallagher	Planning Manager, Broxbourne Borough Council
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INTERESTED PARTIES

Cllr Shenis Hassan	Broxbourne Borough Council
Cllr Erin Celebi	Broxbourne Borough Council
John Gillett	Local Resident
Ron Pickford	Local Resident
Barry Cressey	Local Resident
Gwen Fish	Local Resident
David Keene	Local Resident
Ruth Salter	Local Resident

DOCUMENTS SUBMITTED AT THE HEARING

1. Letter of representation from Lewis Cocking MP
2. Copy of final comments from Sasha White KC

Schedule of Conditions

Conditions that apply only to the Residential Development

- 1) The residential development shown on Land Use and Maximum Building Heights Parameters plan number 101011 Rev. 3 hereby permitted shall not be carried out otherwise than in accordance with detailed plans and drawings showing the layout, scale, appearance and landscaping which shall have been approved by the Local Planning Authority, before any residential development is commenced.
- 2) (a) Application for approval in respect of all matters reserved in Condition 1 above shall be made to the Local Planning Authority within a period of 3 years commencing on the date of this notice.
(b) The development to which this permission relates shall be begun by not later than whichever is the later of the following dates:-
 - (i) the expiration of a period of 5 years commencing on the date of this notice;
 - (ii) the expiration of a period of 2 years commencing on the date upon which final approval is given by the Local Planning Authority or by the Secretary of State or, in the case of approval given on different dates, the final approval of the last such matter to be approved by the Local Planning Authority or by the Secretary of State.
- 3) The detailed plans submitted in connection with approval of the reserved matters for the residential development shall show:
 - The details of all hard surfaced areas within the site. This includes, but is not limited to, all roads, footways, forecourts, driveways, parking and turning areas, and foul and surface water drainage.
 - The level of footway and carriageway visibility from each individual vehicle access, and the level of visibility from and around each main junction within the site, within which there shall be no obstruction to visibility above 600mm of the carriageway level.
 - That service vehicles, including refuse and emergency vehicles, can safely and conveniently access and route through the site, to include the provision of sufficient turning and operating areas.
 - The provision of sufficient facilities for cycle storage.
 - A scheme outlining wayfinding measures within the application site that divert pedestrians away from sections of Newgatestreet Road without a footway, along with clear and legible internal footway/footpath routes.

All these features, as agreed, shall be provided before first occupation of the residential development and maintained in perpetuity.
- 4) Before commencement of the residential development, a 'Construction Traffic Management Plan' shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The 'Construction Traffic Management Plan' shall set out:
 - the phasing of construction and proposed construction programme.
 - the methods for accessing the site, including wider construction vehicle routing.

- the numbers of daily construction vehicles including details of their sizes, at each phase of the development.
- the hours of operation and construction vehicle movements.
- details of any highway works necessary to enable construction to take place.
- details of construction vehicle parking, turning and loading/unloading arrangements clear of the public highway.
- details of any hoardings.
- details of how the safety of existing public highway users and existing public right of way users will be maintained.
- management of traffic to reduce congestion.
- control of dirt and dust on the public highway, including details of the location and methods to wash construction vehicle wheels.
- the provision for addressing any abnormal wear and tear to the highway.
- the details of consultation with local businesses or neighbours.
- the details of any other Construction Sites in the local area.
- waste management proposals.

- 5) Development shall not commence on the residential site until details of the foul sewage disposal including on and off-site works for the relevant housing development have been submitted to and been approved by the Local Planning Authority in writing. No works which result in the discharge of foul sewage from the site shall be commenced until the on and off-site works referred to above have been completed in accordance with the approved details.
- 6) Prior to or in conjunction with the submission of the reserved matters application for the residential development, in accordance with the submitted Flood Risk Assessment (version D02, revision 2.0, July 2025), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and be agreed in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development.

I. Surface water runoff rates will be attenuated to QBAR as stated within section 5 of the Flood Risk Assessment.

II. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 3.33% AEP (1 in 30 year) and 1% AEP (1 in 100) rainfall events (both including allowances for climate change).

III. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:

- 3.33% AEP (1 in 30 year) critical rainfall event plus climate change to show no flooding outside the drainage features on any part of the site.
- 1% AEP (1 in 100 year) critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any flooding outside the drainage features, ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development. It will also show that no runoff during this event will leave the site uncontrolled.

IV. The design of any attenuation basin will incorporate an emergency spillway and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1% AEP (1 in 100) rainfall event plus climate change allowance.

V. Finished ground floor levels of properties are a minimum of 300mm above expected flood levels of all sources of flooding (including the ordinary watercourses, SuDS features and within any proposed drainage scheme) or 150mm above ground level, whichever is the more precautionary.

VI. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.

VII. A maintenance and management plan detailing the activities required and details of who will adopt and maintain all the surface water drainage features for the lifetime of the development.

- 7) Prior to commencement of the residential development a method statement for interim and temporary drainage measures during the demolition and construction phases shall be submitted to and be 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 the approved method statement.
- 8) Prior to occupation of any part of the residential development details of the maintenance and management of the sustainable drainage scheme shall have been submitted to and approved in writing by the Local Planning Authority. The approved 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.

- 9) Prior to first occupation of the residential development a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), shall be submitted to and be approved in writing by the Local Planning Authority. The verification report shall include a full set of “as built” drawings plus photographs of excavations (including soil profiles/horizons), and any installation of any surface water drainage structures and control mechanisms.
- 10) Prior to first occupation of the residential development all plots shall be served by active EV charging points. The detailed design and location of the EV charging points shall be submitted to the Local Planning Authority and be approved in writing before installation and then retained thereafter in accordance with the agreed details.
- 11) Prior to commencement of the residential development a Construction Environmental Management Plan (CEMP) shall be submitted to and be approved in writing by the Local Planning Authority, before the development commences.

The CEMP shall include details of the following;

- Site Waste Management and an associated plan
- Dust Management and an associated plan
- Site hoarding, including height, thickness and materials
- Wheel washing
- Confirmation if a mobile crusher will be used on site and if so, a copy of the permit and intended dates of operation
- Site plan identifying the locations of the site entrance, exit, wheel washing, on-site parking, hoarding, dust suppression and location of water supplies
- Site security
- Fuel & Chemical Storage
- Details of security lighting layout and design
- Provide details of how noise and vibration from the site will be managed.
- Information specific to the controls on this site should be included, for example:
 - Pre-notification and engagement details with local community
 - Specific noise control and mitigation measures (e.g. silencers, attenuators, screens and barriers that will be used)
 - Setting noise limits and monitoring noise levels
 - Time restrictions for certain activities
 - Noise complaints procedure

All site works shall be undertaken in accordance with the approved CEMP.

- 12) In the event contamination is found at any time when carrying out the approved residential development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with details to be agreed in writing with the Local Planning Authority. Where remediation is necessary, a remediation scheme must be submitted to

and be approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and be approved in writing by the Local Planning Authority, prior to occupation of the residential development.

- 13) Full details of all external lighting for the residential development shall be submitted to and be approved in writing by the Local Planning Authority prior to development commencing above slab level. The external lighting shall be implemented and maintained as approved and no other external lighting shall be installed.
- 14) Within one month of the first occupation of each residential unit of accommodation, an information pack, the contents of which shall have previously been submitted to and been agreed in writing by the Local Planning Authority, shall be provided to each new home. The information pack shall include details which explain the importance of protecting the Wormley Hoddesdonpark Woods Special Area of Conservation, local ecology and biodiversity, and encourage alternative local walking and cycling routes.
- 15) The Biodiversity Gain Plan for the residential development shall be prepared in accordance with the Residential BNG Technical Note, Ref: Q24-3783, issue, 2.1, prepared by Three Shires Limited, 4 March 2025.
- 16) The residential development shall not commence beyond ground floor slab level until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved outline/residential site Biodiversity Gain Plan, has been submitted to and been approved in writing by the Local Planning Authority, and it shall include:
 - (a) a non-technical summary;
 - (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - (c) the planned habitat creation and enhancement work on and off site to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 - (e) the monitoring methodology and frequency in respect of the created or enhanced habitat shall be submitted to and approved in writing by the Local Planning Authority.

The created and/or enhanced habitat specified in the approved HMMP shall be provided, managed and maintained in accordance with the approved HMMP. Notice in writing shall be given to the Council when the:

- (a) HMMP has been implemented; and
 - (b) Habitat creation and enhancement works as set out in the HMMP have been completed.
- 17) As part of the landscaping to be agreed under the reserved matters for the residential development, the provision of open space shall be provided at least

to the same quantity, quality and purpose as that shown on illustrative Masterplan Project No.1172-DFA, Drawing No.101010 Revision 6.

- 18) Prior to the occupation of any residential unit, details of the size, position and content of notice boards and waymarking to inform walkers of, and direct walkers to, alternative green space shall be submitted to and be approved in writing by the Local Planning Authority. The approved information boards and waymarking shall be erected on completion of that part of the residential development and shall thereafter be permanently retained.
- 19) No residential development above slab level shall take place until details of the model and location of a swift brick for each property has been submitted to and been approved in writing by the Local Planning Authority. The approved swift brick shall be incorporated into each property in the agreed position prior to occupation of that property and thereafter retained.

Conditions that apply only to the School Development

- 20) The school development shown on plans,
- Full and Outline Application Areas Plan 101003 Rev. 3;
 - School Ground Floorplan 1172-EGG-02-01-DR-A-100 Rev. P01;
 - School First Floorplan 1172-EGG-02-GR-DR-A-101 Rev. P01;
 - School Main Building Elevations 1172-EGG-02-XX-DR-A-200 Rev. P01;
 - School Outbuilding Elevations 1172-EGG-02-XX-DR-A-201 Rev. P01;
 - School Proposed Site GF Plan 1172-EGG-02-GR-DR-A-100001 Rev. P01;
 - School Proposed Site Plan 1172-EGG-02-GR-DR-A-100000 Rev. P01;
 - School Roof Floorplan 1172-EGG-02-RF-DR-A-102 Rev. P01;
 - Sections 1172-EGG-02-XX-DR-A-300 Rev. P01;
- to which this permission relates shall be begun within a period of 3 years commencing on the date of this notice.
- 21) Prior to above ground works of any of the school buildings, details/samples of all external facing, roofing and surfacing materials shall be submitted to and be approved by the Local Planning Authority, and development shall only proceed in accordance with the approved details.
- 22) Details of all screen and boundary walls, fences and any other means of enclosure (to include, but not limited to, the proposed boundary fences between the new school and adjoining residential occupiers) shall be submitted to and be approved in writing by the Local Planning Authority before work commences on the relevant part of the school. The means of enclosure shall be erected in accordance with the approved details before the relevant building(s) hereby approved is/are occupied and retained thereafter.
- 23) Prior to commencing works on the school site, an updated Arboricultural Impact Assessment and a detailed Arboricultural Method Statement in regard to works in and around the root protection areas of the retained trees shall be submitted to and be approved in writing by the Local Planning Authority. All works shall take place in accordance with the agreed details.

- 24) A landscaping scheme comprising a plan and specification with numbers, species and 5-year management plan to ensure all the landscaping establishes, shall be submitted to and be approved by the Local Planning Authority prior to the commencement of any development on the relevant part of the school development. The landscaping around the new school shall be implemented prior to occupation of the school development or such longer period as may be agreed in writing by the Local Planning Authority. All landscaping shall be completed in compliance with the approved plan and specification.
- 25) The landscaping scheme submitted in compliance with Condition 24 above shall include landscaping, details of hard and soft landscaping and shall comprise a contoured plan to a minimum scale of 1:500 showing the existing features to be retained, new features proposed and the treatment thereof and a specification.

The features to be shown on the plan shall include:-

- (i) All existing trees (including details of their trunk position, spread and species), shrubs, hedges, grass areas and whether these are to be retained, or removed.
- (ii) Proposed planting of trees, shrubs, hedges, grass areas showing the species, size of plants, planting distances/densities, and the number of plants to be used.
- (iii) Details showing the location/depth and extent of any proposed underground works services within the spread of existing trees.
- (iv) Any alterations in ground level around existing trees, shrubs or hedges.
- (v) Public footways, steps and other paved areas and the materials to be used.
- (vi) The location and height of all earthworks, embankments and walls and the materials to be used.
- (vii) Amenity areas indicating whether these are to be dedicated to public use.

The landscaping specification shall provide details of clearance works, ground preparation, planting and maintenance techniques and trees to be retained shall be protected for the duration of the relevant part of the construction.

- 26) In the event of the death or destruction of any tree, shrub or hedge, as a result of felling, cutting down, uprooting or in any other manner, within 5 years of first occupation and to which Conditions 24 and 25 above relates, a replacement tree, shrub or hedge shall be replanted in its place, within such period and of such size and species as shall have been first approved by the Local Planning Authority.
- 27) Prior to commencement of the school development, additional details shall be provided to demonstrate that the school development provides a sufficient level of secure/shelter cycle parking and type, which shall be approved in writing by the Local Planning Authority and in place before first occupation. The agreed cycle parking shall thereafter be retained for its designated use.
- 28) Before the school development is first brought into use, all on site hard surfaced vehicular areas and pedestrian routes shall be accessible, surfaced, marked out and fully completed in accordance with the indicative plan, drawing number 24-174-T-301 Rev. D ("Proposed Highway Works Bus Route C1 Option").

Arrangements shall be made for surface water from the site to be intercepted and disposed of separately so that it does not discharge into the public highway.

- 29) Before the school development is first brought into use, a Parking, Delivery, Servicing & Emergency Vehicle Management Plan shall be submitted to and be approved in writing by the Local Planning Authority to demonstrate that on-site parking levels (including drop-off parking) are in accordance with adopted standards, and to illustrate how vehicle and cycle parking, servicing, deliveries, coaches/minibuses, and emergency vehicle access associated with the development will be operated and managed. The agreed Plan shall be implemented and adhered to in full thereafter.
- 30) Before commencement of the school development, a 'Construction Traffic Management Plan' shall be submitted to and be approved in writing by the Local Planning Authority. Thereafter the construction of the development shall only be carried out in accordance with the approved Plan. The 'Construction Traffic Management Plan' shall set out:
- the phasing of construction and proposed construction programme.
 - the methods for accessing the site, including wider construction vehicle routing.
 - the numbers of daily construction vehicles including details of their sizes, at each phase of the development.
 - the hours of operation and construction vehicle movements.
 - details of any highway works necessary to enable construction to take place.
 - details of construction vehicle parking, turning and loading/unloading arrangements clear of the public highway.
 - details of any hoardings.
 - details of how the safety of existing public highway users and existing public right of way users will be maintained.
 - management of traffic to reduce congestion.
 - control of dirt and dust on the public highway, including details of the location and methods to wash construction vehicle wheels.
 - the provision for addressing any abnormal wear and tear to the highway.
 - the details of consultation with local businesses or neighbours.
 - the details of any other Construction Sites in the local area.
 - waste management proposals.
- 31) Development shall not commence on the school site until details of the foul sewage disposal including on and off-site works have been submitted to and been approved by the Local Planning Authority in writing. No works which result in the discharge of foul sewage from the site, shall be commenced until the on and off-site works referred to above have been completed in accordance with the approved details.
- 32) Prior to the commencement of the school development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms and a construction method statement shall be submitted to and be agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed drawings, method statement and Flood Risk Assessment (version D02, revision 2.0, July 2025), remaining in perpetuity for the lifetime of the development.

- 33) Prior to commencement of the school development a method statement for interim and temporary drainage measures during the demolition and construction phases shall be submitted to and be 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 the approved method statement.
- 34) Prior to occupation of the school development details of the maintenance and management of the sustainable drainage scheme shall have been submitted to and approved in writing by the Local Planning Authority. The approved 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.
- 35) Prior to first use of the school development a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), shall be submitted to and be approved in writing by the Local Planning Authority. The verification report shall include a full set of “as built” drawings plus photographs of excavations (including soil profiles/horizons), and any installation of any surface water drainage structures and control mechanisms.
- 36) Prior to first use of the school development at least 20% of the parking spaces shall have active Electric Vehicle charging points, or the equivalent proportion of passive charging points where it can be demonstrated that provision of active charging points is not reasonable.
- 37) Prior to commencement of the school development a Construction Environmental Management Plan (CEMP) shall be submitted to and be approved in writing by Local Planning Authority. The CEMP shall include details of the following;
- Site Waste Management and an associated plan

- Dust Management and an associated plan
- Site hoarding, including height, thickness and materials
- Wheel washing
- Confirmation if a mobile crusher will be used on site and if so, a copy of the permit and intended dates of operation
- Site plan identifying the locations of the site entrance, exit, wheel washing, on-site parking, hoarding, dust suppression and location of water supplies
- Site security
- Fuel & Chemical Storage
- Details of security lighting layout and design
- Provide details of how noise and vibration from the site will be managed.
- Information specific to the controls on this site should be included, for example:
 - Pre-notification and engagement details with local community
 - Specific noise control and mitigation measures (e.g. silencers, attenuators, screens and barriers that will be used)
 - Setting noise limits and monitoring noise levels
 - Time restrictions for certain activities
 - Noise complaints procedure

All site works shall be undertaken in accordance with the approved CEMP.

- 38) In the event contamination is found at any time when carrying out the approved school development, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with details to be agreed in writing by the Local Planning Authority. Where remediation is necessary, a remediation scheme shall be submitted to and be approved in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and be approved in writing by the Local Planning Authority, prior to occupation of the school development.
- 39) Full details of all external lighting for the school development (including MUGA lighting location, height, type and direction of light sources and intensity of illumination), shall be submitted to and be approved in writing by the Local Planning Authority prior to development commencing above slab level. The external lighting shall be implemented and maintained as approved and no other external lighting shall be installed.
- 40) The use of any MUGA floodlighting hereby permitted shall be restricted to the hours of 07.00 to 19.00 Monday to Friday.
- 41) The Biodiversity Gain Plan for the school shall be prepared in accordance with the School Site BNG Technical Note, Ref: Q24-3783, issue 2.1, prepared by Three Shires Limited, 4 March 2025.
- 42) The school development shall not commence beyond ground floor slab level until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved full/school site Biodiversity Gain Plan, has been

submitted to and approved in writing by the Local Planning Authority, and shall include:

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP; (c) the planned habitat creation and enhancement work on and off site to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat shall be submitted to and approved in writing by, the Local Planning Authority. The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Notice in writing shall be given to the Council when the:

- (a) HMMP has been implemented; and
- (b) Habitat creation and enhancement works as set out in the HMMP have been completed.

- 43) Details and position of the acoustic fence, to accord with the requirements of the Noise Statement for Planning (27 February 2025) (Doc No BDP-LAP-ZZ-RP-YA-XX-001 Revision P02) shall be submitted to and be approved in writing by the Local Planning Authority. The acoustic fence, in accordance with the approved details and specifications, shall be constructed prior to the first use of the MUGA and thereafter retained.

Conditions that apply to both the Residential and School Developments

- 44) The development hereby permitted shall be carried out in accordance with the proposals contained in the application and drawing numbers attached to conditions 1, 3 and 20 above.
- 45) There shall be no occupation or use of any part of the development until additional plans are submitted to and been approved in writing by the Local Planning Authority which show the detailed engineering designs and construction of the residential access and school access, along with associated highway works, as shown on drawing number 24-174-T-301 Rev. D ('Proposed Highway Works Bus Route C1 Option'). There shall be no occupation or use of that part of the development until the associated works are constructed and completed in accordance with the approved details and specifications.
- 46) Concurrent with the construction of the accesses, visibility splays of 2.4 metres X 43 metres shall be provided and thereafter retained, within which there shall be no vertical obstruction above 600mm.
- 47) There shall be no occupation or use of that part of the development until all existing accesses not incorporated in the approved plans are permanently closed to the satisfaction of the Highway Authority.

- 48) There shall be no occupation or use of any building until additional plans are submitted to and been approved in writing by the Local Planning Authority which show the detailed engineering designs and construction of all improvement works to Hammondstreet Road, Newgatestreet Road and Darnicle Hill as shown on drawing number 24-174-T-301 Rev. D ("Proposed Highway Works Bus Route C1 Option").

This shall include but is not limited to:

- A reduction in speed limit from 40mph to 30mph along the site frontages, with associated gateway features on Darnicle Hill and Newgatestreet Road.
- Raised tables at new and existing junctions.
- Provision of a new zebra crossing on Hammondstreet Road and signalised pedestrian crossing on Newgatestreet Road, and tactile paved crossings at the Hammondstreet Road / Newgatestreet Road junction.
- Provision of two new bus stops on Newgatestreet Road.
- Improvement of the existing footway along Hammondstreet Road to accord with LTN1/20, to include widening to 3 metres width minimum as a shared footway/cycleway, from the north-eastern corner of the residential site to the Hammondstreet Road / Richardson Crescent roundabout.

There shall be no occupation or use of the residential development or school until these works are constructed and completed in accordance with the approved plans and specifications.

- 49) In the event soil is imported from an outside site, a scheme shall be submitted to and be approved in writing by the Local Planning Authority verifying that any imported topsoil is certified as suitable for domestic and/or school use, prior to first site usage of that part of the development.

- 50) No demolition or construction works in connection with the development shall take place on the site at any time on any Sunday or Bank / Public Holiday, nor on any other day except between the following times:

- Monday to Friday 0800 - 1800 hours
- Saturdays 0800 - 1300 hours

If impact piling is required, these operations shall only take place between 0900 - 1800 hours on weekdays.

End of Schedule