

## DEVELOPMENT CONTROL COMMITTEE

30<sup>th</sup> January 2014

### UPDATE SHEET

#### Item 5

#### 13/01134/FUL – Lanchester Building, Hempstead Road

#### ADDITIONAL REPRESENTATIONS

1. Since the publication of the agenda, an additional 35 letters have been received from local residents objecting to the application. The reasons for objection are the same as those summarised on pages 6 and 7 of the agenda.
2. A bundle of letters in support of the application has also been submitted by the applicant. This contains 33 letters, none of which contain full addresses. From a reading of the letters it is possible to identify the respondents as follows:-

Local Councillor – 1

Local residents (Cassiobury estate or Nascot Ward) – 9

Local resident (unspecified) – 10

Others – 11

Employees of the applicant – 2

3. Following a meeting of the Cassiobury Residents Association last night, the following representation has also been received:-

The meeting was in agreement that the following representation be made to WBC regarding the current planning proposal:

Residents expressed unanimous support of the aims of the West Herts Community Free School Trust regarding their goal to alleviate the shortage of primary school places in Watford.

Serious concerns and misgivings arise over the plan to re-open a disused alleyway from the college grounds to exit onto Woodland Drive at its junction with Cassiobury Drive. This alleyway, some say, exits onto Woodland Drive not 'Cassiobury Drive'; planners now says the latter since it is a wider road and appears much less hazardous. We appreciate that the opening of the alleyway is not a material planning matter per se.

From mid 1970s onwards the police wished to close this alleyway permanently, since even when gated and padlocked it was the scene and facilitator of evening and late night anti-social and criminal behaviour.

There were periods when it was shut, and eventually by request of Herts Police Crime Prevention it was shut permanently.

In response to the application, the Crime Prevention Design Advisor, Hertfordshire Constabulary, writes on 19th December 2013 to WBC:

"I also understand you may be looking to open the footpath from Cassiobury Drive to the college car park, and if so this would be strenuously opposed by on the grounds of crime prevention. The college wanted the footpath opened up but accepted our arguments regarding permeability in to the car park and the increased criminality risk to the properties backing on to the college grounds. I would certainly oppose any application to open this pathway."

This planning proposal also includes a "dropping off area" on the public highway at the junction of Woodland Dr and Cassiobury Dr with Parkside Dr to gain access to the alleyway. This is a hazardous 4-way junction. Notwithstanding that infants should not to be 'dropped off' since a liaison between parents and teachers at both beginning and end of the day is deemed essential, the plan is that those arriving by car will be dropped off and collected at this point. It is proposed that wardens will shepherd pupils up and down the alleyway, across the College service yard access road and the College car park, to and from the school buildings. This plan raises serious concerns over child safety and well-being, general personal safety, and increased hazards and reduced safety on the highway and footpaths in the vicinity, and increased traffic congestion.

Whilst it is proposed that the school be as 'car-free' as possible, however, estimates of car usage when at full capacity range from 2 per minute per Pell Frischmann, to 90 overall per Herts Highways, to 280-300 per evidence upon visiting other schools in Watford and surroundings even where their stated aim is to be a 'walk-to-school' or a 'car-free' school. Many parents have to go on to their place of work, and walking to school is simply not an option since driving their children and collecting them is a life-style necessity.

Whilst the school claim that hardly any pupils' parents will drive, they say they need this drop-off point since the College will only allow the Hempstead Road entrance to the college car park & service yard and the school to be used for disabled pupils - all others will have to drive past the college and down estate roads to this point.

There are only two roads to and from the estate that give sole access to not only over 1000 homes but also shops, churches, both Cassiobury Schools & nursery, pre-school, the Vets, the Essex Arms pub, the Park and park users, the ever expanding Peace Hospice, Sun Sports Grounds & Social Club, the Fullerians club house and grounds, and so on. With Cassiobury Schools' expansion only half-way completed, morning traffic along Stratford Way often backs down to the Cassiobury Dr junction and forms an extra queue at the Woodland Dr junction at its current usage.

Herts' Highways reports a queue of between 12-35 cars at morning peak period at the traffic signals onto Hempstead Road from Stratford Way. As Hempstead Road is congested in the morning peak the SCOOT system usually allows only around three to four cars to exit at each phase, thus a queue of 35 entails around 8 to 10 phase changes, at least 15 minutes without allowing for existing approved expansion or the increase in traffic from that proposed.

Residents' concerns include: parking around the vicinity of the 4-way junction of Woodland Dr, Cassiobury Dr and Parkside Dr introducing hazards at this 4-way junction, increased hazards at the crossing of Stratford Way and Cassiobury Dr; increased rat-running traffic along Langley Way, Cassiobury Dr and Woodland Dr to escape the Hempstead Road congestion or queues at the traffic signals; increased traffic and queues at the tightly controlled & limited traffic signals phases on Hempstead Rd to get on and off the estate, especially at peak times; increased traffic pollution and congestion; increased safety hazards and obstructions to residents and emergency services access; inconsiderate parking by parents causing hazards and delays.

The alleyway access: presently fenced across, it appears to be part of the adjoining gardens. Whilst some late-night revellers from the town still occasionally try to use it, the fact that it no longer looks like an alleyway, and being overgrown with brambles no longer can even function as same, has led to a great reduction in anti-social behaviour and crime.

The alleyway was formed out of the original plot for No4 Woodland Dr, (a property previously owned by the College and now sold and divided back into its two original plots), and is subject to the same covenants as the estate. For some years it was used by those accessing the college from the estate and as a short-cut until the college started to lock it at both ends each evening until each morning at the police's request from about the mid 1990s onwards, owing to crime and anti-social behaviour (it was always locked just once or twice a year prior to that date). It was finally shut and dis-used the express request of Herts Police Crime Prevention team.

Re-opening it would be against the report of Herts Police Crime Prevention. Using it would be against the 'Zurich guide to School and Academy design'; 'Designing School for Safety and Security' published by the Home Office and BRE; the Best Practise for Infant Schools advice (union and non-union) per Teaching Professionals; and the Police's newly published national 'Secured by Design, 2014' guide for schools.

Residents feel that if school is to be as 'car-free as possible' and only a very few parents would drive children to and from school since vast majority of school children will walk, then they don't need a drop-off point, and surely such could easily be easily accommodated within the existing site. However, if there are to be many more cars used for access then some sensible traffic management scheme providing direct access from

Hempstead Road or sharing the car park with the College, or using the road to Little Cassiobury to form a new and safe off-highway loop, or other method within the curtilage, needs to be devised and enforced. Since both the College and the proposed school are educational places political will and weight needs to be brought to resolve the access matter in order to minimize disruption and maintain safety and well-being.

Should it transpire that the High Court prohibit use of the alleyway - and it would be very foolish and unwise of any professional to second guess their Lordships' decision in matters of nuisance, amenity, public safety and residents' rights against any such powers that HCC may wish to try to exercise to set aside third part rights over Local Authority property where it is intended that the property is to be put to a service purpose, leaving the third party with just compensation rights - very foolish and unwise indeed - then access using a method other than the alleyway and crossing the service road and crossing the car park to the school will have to be devised.

The Residents' Association is not opposed to the idea of the school, and indeed recognizes the need for extra School places and it welcomes the use of the dis-used Lanchester building as a school. However, residents feel that support for the project is conditional on the parent and pupil access and drop-off point being made directly from Hempstead Road to minimize the potential for crime and anti-social behaviour, to minimize general hazards and traffic hazards, to maintain the safety of pupils and parents alike, and minimize road movements, traffic congestion and throughput across the traffic signals in the interests of public safety, amenity and general well-being.

#### AMENDED AND ADDITIONAL DRAWINGS

An amended drawing no. 3088/140/01 Proposed External Works has been submitted. This shows some amendments to the proposed fencing around the boundaries of the site and within the site. These amendments reflect comments made by your officers and are acceptable.

Additional drawings have also been submitted giving details of the proposed pedestrian guardrails within the car park (drg. no.DG1112), the landscaping around the nursery play area (drg. no.LD08 P1) and the entrance ramp to the nursery (drg. no. LD07).

The list of drawings in Recommendation (A) should read as follows:-

3008/100/01, 102/00, 110/01, 120/01, 140/01, 150/07, 151/01, 155/01, 156/01, 158/01, LD03 PL1, LD05 PL1, LD07, LD08 P1, 130995/E/2210 Rev.T1

## AMENDED CONDITIONS

Various conditions are amended to refer to the current up-to-date list of drawings:

2. The development hereby permitted shall be carried out in accordance with the following approved drawings:-  
  
3008/100/01, 102/00, 110/01, 120/01, 140/01, 150/07, 151/01, 155/01, 156/01, 158/01, LD03 PL1, LD05 PL1, LD07, LD08 P1, 130995/E/2210 Rev.T1
9. No part of the building shall be occupied until full details of a soft landscaping scheme, as shown in principle on drawing nos. 3088/140/01 and LD08 P1, have been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be carried out not later than the first available planting and seeding season after completion of the development. Any trees or plants whether new or existing which within a period of five years die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, or in accordance with details approved by the Local Planning Authority.
10. No part of the building shall be occupied until (a) full details of a hard landscaping scheme, including both hard surfaced play areas, as shown in principle on drawing no. 3088/140/01, have been submitted to and approved in writing by the Local Planning Authority, and (b) the works have been carried out in accordance with the approved details.
11. (i) No part of the building shall be occupied until (a) details (including materials, design, colour and height) of the following means of enclosure have been submitted to and approved in writing by the Local Planning Authority, and (b) all the means of enclosure have been installed in accordance with the approved details:-
  - The railings around the front, side and rear boundaries of the site.
  - The front entrance gate from Hempstead Road and the side and rear entrance gates to the open space.
  - The fencing of the footpath leading to Cassiobury Drive.
  - Gates at both ends of the footpath leading to Cassiobury Drive.

(ii) No part of the building shall be occupied until the following means of enclosure have been installed in accordance with the approved details:-

- The pedestrian guard rails in the car park shall be as shown on drawing no. DG1112 and shall be coloured black.
- The fencing around the nursery play area shall be in Jackson's Venetian timber slats with the posts set on the inside of the fencing and concealed from view.
- The weldmesh fencing shall be as shown on drawing no. LD03 PL1 and LD05 PL1 and shall be coloured dark green (RAL 6005).

14. No part of the building shall be occupied until (a) details of a cycle shelter sufficient to accommodate 60 cycles, and the means of screening this shelter, as shown in principle on drawing no. 3088/140/01, have been submitted to and approved in writing by the Local Planning Authority and (b) the shelter has been constructed in accordance with the approved details.