

WELWYN HATFIELD COUNCIL – DEVELOPMENT CONTROL
DELEGATED REPORT

APPLICATION No:	S6/2009/0481/MA
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NOTATION:

The site lies within the Green Belt, Major Development Site and Landscape Character Area (53) as designated in the Welwyn Hatfield District Plan 2005.

DESCRIPTION OF SITE:

The Queenswood School site is located between Hatfield and Potters Bar, adjoining the B157 (Shepherds Way). The application site is located to the northern part of the educational core of the school and the site is presently occupied by a structure known as “the Palaestra” (a large unheated building housing two indoor tennis courts), two temporary classrooms and a number of other ancillary structures (stores).

The sports hall is approximately 37 x 37 metres footprint and height of approximately 14 metres.

The site adjoins woodland areas which envelope the School site and trees to the north are protected under area Tree Preservation Order TPO 3 (W30).

A master planning brief for this MDS was adopted in March 2003.

DESCRIPTION OF PROPOSAL:

The proposal seeks full planning permission for the demolition of the existing sports hall, together with temporary classrooms and storage type building. These would be replaced by a new sports hall and provision of four disabled parking bays.

The sports hall would have a slightly large footprint than the existing hall comprising of the ‘main element’ of approximately 39 x 37 metres and ‘entrance’ of 17 x 23 metres. The main part of the building would have an approximate maximum ridge height of 13.7 metres (including the roof light) (excluding the roof light approx 13.2) and approximately 7 metres to the maximum height of the ridge for the ‘entrance’.

The design is contemporary with the main roof being curved and the entrance roof comprising mono-pitch for half and ‘wave’ for the other half. The building is proposed to be finished in brickwork, cladding and steel roof.

Parking spaces would be provided to the eastern elevation resulting in some trees and landscaping being removed.

PLANNING HISTORY:

Relevant to this area of the school

S6/2005/0863/FP Erection of new tennis centre and sports hall following demolition of existing buildings - Granted

S6/2004/446	Alterations and extensions to the existing Great Hall to form a performing arts centre - Granted
S6/2003/319	Erection of indoor swimming pool building - Granted
S6/2002/37	Erection of glazed entrance to library - Granted
S6/2000/1119	Formation of new vehicular access and gates to serve existing car park, and closure of existing access - Granted
S6/1990/1011	New building to provide replacement changing facilities, with first floor gym facilities and single storey extension to existing gymnasium & provision of 5 car parking spaces - Granted

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Policy

PPS 1: Delivering Sustainable Development

PPS: Planning and Climate Change - Supplement to Planning Policy Statement 1

PPG 2: Green Belts

PPS 9: Biodiversity and Geological Conservation

PPS 10: Planning for Sustainable Waste Management

PPG 13: Transport

PPS 22: Renewable energy

East of England Plan 2008

SS1: Achieving Sustainable Development

SS2: Overall Spatial Strategy

T8: Local Roads

T9: Walking, Cycling and other Non-Motorised Transport

T14 Parking

ENV2: Landscape Conservation

ENV3: Biodiversity and Earth Heritage

ENV5 Woodlands

ENV7: Quality in the Built Environment

ENG1: Carbon Dioxide Emissions and Energy Performance

WM6: Waste Management in Development

Hertfordshire County Council Waste Local Plan 1999

3 Waste minimization and new developments

7 Re-use of waste arising from new developments

8 Use of recycled materials in new developments

11 Waste separation storage and recycling facilities at major new development sites

Welwyn Hatfield District Plan 2005

SD1 Sustainable Development

GBSP1 Definition of the Green Belt

R3 Energy Efficiency

R4 Renewable Energy Sources

R5 Waste Management

R11 Biodiversity and Development

R17 Trees, Woodland and Hedgerows

M14 Parking Standards for New Development

D1 Quality of Design

D2 Character and Context

D8 Landscaping
D9 Access and Design for People with Disabilities
D12 Development Briefs
IM2 Planning Obligations
CLT2 New and Expanded leisure Facilities
CLT7 Community Use of Educational Facilities
RA5 Major Developed Sites in the Green Belt (Limited Infilling)
RA6 Major Developed Sites in the Green Belt (Redevelopment)
RA10 Landscape Regions and Character Areas
RA28 New Development Using Rural Roads

CONSULTATIONS

Herts County (Waste) – suggest sustainable management of waste in accordance with Waste Local Plan policies. Advise of the need for a Site Waste Management Plan.

Environmental Health – no objection

Herts & Middx Wildlife Trust – recommend conditions and informatives to protect bats

Landscaping – satisfied with the details subject to conditions.

Hertfordshire Transportation and Policy – do not wish to restrict the grant of permission

TOWN/PARISH COUNCIL COMMENTS

North Mymms Parish Council comment that the choice of materials in this Green Belt location are inappropriate in relation to materials of surrounding buildings.

REPRESENTATIONS

None – advertised by means of site notice. Period expired 24th April.

DISCUSSION:

The main issues are:

- 1. Impact on the Green Belt**
- 2. Design of the proposal**
- 3. Community Facility**
- 4. Parking and highway matters**
- 5. Landscape and biodiversity**
- 6. Other Material Planning Considerations**

1. Impact on the Green Belt

The site is within the Metropolitan Green Belt and identified in the adopted plan as a Major Developed Site (MDS). In terms of the master planning brief (adopted in March 2003) and relevant policies in the plan relating to the MDS, this states that limited infilling and partial redevelopment may be permitted subject to the following criteria:

- the proposal will have no greater impact on the purposes of including land in the Green Belt than the existing development;
- the proposal should not exceed the height of the existing buildings;

- the proposals should not lead to a major increase in the developed proportion of the site;
- All significant trees on the site should be protected;
- A high quality of design will be expected in any new development. The architectural style found on the site varies between buildings and a flexible palette of materials should be used to ensure that buildings are suitable for the site and their context. Reference should be made to the Design Guidance prepared as SPG by the Council;
- Any new development must be acceptable in terms of its impact on the highway network, including highway network including highway safety;
- Any planning applications should have regard to relevant elements of the Sustainability Checklist in Appendix 1 of the Revised Deposit District Plan Review.

Paragraph 3.15 of the master planning brief makes particular mention of a replacement indoor tennis facility linked to a new sports hall.

Overall, the proposals are considered to accord with Green Belt policy and with the adopted master planning brief. The proposed new indoor facility which is shown to have dual use i.e. sports centre, but also at relevant times exam room, place for whole school gatherings, for entertaining and performances as well as a separate class room are to be located within the developed envelope (MDS boundary as defined in the brief). The proposals would have no greater impact on the openness of the Green Belt than the existing building which would be replaced. Furthermore, no element of the proposals would exceed the height of the existing buildings- the new tennis centre will in fact be marginally lower in height than the existing building.

The proposed new building would comprise a total 1925 sq m of internal floorspace (i.e. new indoor tennis facility, sports hall and entrance building). The adopted master planning brief indicates that the total external floorspace for these facilities was envisaged to be 2885 sq m. The earlier permission in 2005 (reference S6/2005/0863/FP) approved 2836m² of floor area (external). When considered in terms of the total floorspace on the site (the estimated footprint of buildings within the MDS boundary is approximately 10,400 sq m) this would not lead to a major increase in the developed proportion of the site.

2. Design of the proposal

Turning to aspects of design, the proposed building relates well to the scale and character of adjacent buildings. As stated in the master planning brief, a high quality of design will be expected in any new development and the architectural style found on the site varies between buildings and a flexible palette of materials should be used to ensure that buildings are suitable for the site and their context.

The architectural style, roof form, windows, detailing and materials (the brickwork indicated would be the same red brick as used across the site, details of the cladding (and specific brick) can both be approved by condition) proposed are considered appropriate in this location and the new building will represent a marked improvement in design terms over the existing structures that are to be demolished. The contemporary nature of the building would introduce a new design concept within the wider site of Queenswood, rather than pastiche, which has tended to be the norm.

However, the design would not sit at odds within the overall setting of Queenswood due to the separation of buildings, the buffer that the existing landscaping would provide and would comprise a building that forms part of the 21st century.

The development would provide disabled parking bays and the surrounding area of the building is relatively level thus providing easy access for people with limited mobility.

3. Community Facility

Policy CLT7 (Community Use of Education Facilities) states that the Council will grant planning permission for the multiple use of existing and new educational facilities for community and leisure activities and that where new dual use facilities are proposed they should:

- (i) Be ancillary to the main use of the facility for education;
- (ii) Not interfere with the delivery of the education service; and
- (iii) Not have a harmful impact on the character of the surrounding area or amenities of nearby residential properties and other uses.

Although the supporting statement has indicated that primarily, these new facilities will be for the use of Queenswood staff and pupils in pursuance of the school's standard sports curriculum. However the applicant has acknowledged that the two proposed indoor tennis courts may be available for use by external groups during the school holidays, some evenings and weekends during term time. Similarly, the applicant acknowledges that it is intended that the new Sports Hall will also be made available for external groups, but, again, this will be outside the school day and on occasions during the holidays. It is considered that the proposal is acceptable and complies with Policy CLT7, and a condition shall be imposed on the consent to ensure that the use of the development remains ancillary to the main use of the site for educational purposes.

While the proposals may appear to be contrary to elements of Policy CLT8 (New and Extended Education Facilities) in that it is a proposal to locate additional education facilities away from existing centres of population and passenger transport services, it is considered that this policy is only partially relevant here. The preamble suggests that this policy relates to County Council maintained schools and, in any event, the specific requirements of this policy are outweighed by the special circumstances here in that this is a designated Major Developed Site within the Green Belt for which there is an adopted master planning brief. Furthermore, this building would replace an existing sports building and classrooms so overall there would be little change. The need for a new sports hall was advanced with the brief, but broadly is due to the classrooms being of a temporary nature, the sports hall being unheated, unsustainable and not meeting Sport England requirements.

4. Highway and Parking matters

A sports hall at this location has been agreed as part of a previous permission. The new sports hall will be used by existing pupils and staff and the proposals do not result in an increase in pupil numbers. There are no proposals to change the accesses to Shepherds Way and it is proposed to provide 4 disabled car parking spaces. Users of the facilities outside of school hours will be able to park in the staff car park.

Any development of a school, particularly where it is providing new or refurbished facilities will likely lead to an increase in the number of journeys to the site. It is therefore important that the school shows how it will manage these journeys and

wherever possible reduce them by encouraging parents, pupils staff and users of the new sports hall to use more sustainable means of transport including walking, cycling and public transport. The school has prepared a draft travel plan and this should be completed to include the results of an initial travel survey reflecting the current situation. The travel plan should also make reference to use of the facilities by outside bodies. As such a condition is recommended and therefore the proposal will comply with national, regional and local plan policies.

5. Landscape and biodiversity

Landscape

The proposal will result in the loss of three trees protected by TPO 3 (2 silver birches and one plum) but this is considered to be justifiable given the benefits the whole scheme represents. The arboricultural report shows the trees T14, 15 and 20 show the physiological and structural conditions of these trees to be fair, good for T14 and 15 respectively and poor/poor for T20. An additional oak (T2) outside of the TPO would also be removed. Landscaping advise T14 and T15 are poor quality and the plum tree is over mature providing little amenity value. The oak is a mature specimen and in good condition for a tree of this age and species. The report details methods of protecting RPA's, excavation of hardstanding and details of landscaping which are all considered acceptable. It is normal practice, in accordance with policy R17 that trees that are to be removed and protected by a Tree Preservation Order shall be replaced within the site. The site is well landscaped and landscaping having considered whether additional planting is appropriate for the site. The application site, together with the wider Queenswood site are well landscaped and therefore in this instance it is not considered appropriate to include a condition for additional tree planting. Subject to conditions ensuring that the details submitted within the report are attached, the proposal would comply with local plan polices.

Biodiversity

The applicants have submitted a bat survey report with the application. This has been appraised by Herts and Middx Wildlife Trust who are satisfied with the details subject to the addition of conditions on the decision notice protecting breeding birds and bats. Additionally informatives are suggested, one of which relates to lighting. It would appear that the majority of the current building does not benefit from lighting, the temporary classrooms have small lights to the front of the building. It is therefore anticipated that some level of lighting would be required in the future, particularly in view of the type of building that it would be and for whom it is catered for.

It would normally be such that a condition preventing any lighting would be attached to a decision notice, however in this instance, it is considered appropriate to include a condition requiring submission of details should lighting be proposed.

6. Other material planning considerations

Renewable Energy

Policy ENG1 of the East of England Plan 2008 plan requires developments in excess of 1000m² floor area to provide 10% of the energy use by renewable means. The applicant has submitted a report detailing how this would be achieved.

The proposed method for renewables would be through an air source heat pump which would provide hot water flow for underfloor heating, heating of duct mounted heating coils, pre-heating of water for showers and wash hand basins.

The report demonstrates that it would be possible to achieve in the region of 29% energy from renewable energy. Other methods of renewable energy have not been

pursued to this method achieving more than the minimum. It is therefore appropriate to include a condition to ensure that 10% is achieved through renewable means.

Waste Re-use

The applicant has submitted a Site Waste Management Plan template, however no information has been provided within this document. The sustainability checklist has been submitted with question 12a identifying that the Waste Strategy Hierarchy of minimization, re-use, recovery and disposal as a last resort will be undertaken once the building is completed and during the construction period q. 7 and 8, measures will be taken to minimize, reuse and recycle waste together with the use of renewable, recyclable and durable products will be undertaken.

Whilst the vast majority of the external skin of the building would appear to be asbestos, there is likely to be materials that can be re-used, recycled during construction. It is therefore considered appropriate to attach a condition to achieve this. An informative will be attached in connection with the disposal of the asbestos.

Sustainability

Measures for sustainability have previously been discussed (waste re-use, protection of biodiversity, renewable energy, community use of the facility). It is considered that measures have been undertaken to contribute towards sustainable development and therefore the proposal complies with national, regional and local plan policies.

Extant Permission

The S6/2005/0863/FP permission is still extant and included a very similar development to the one proposed with this application. However, part of this permission could still be implemented alongside this one as the sites are not exactly the same. It is therefore appropriate to include a condition preventing both developments from being implemented.

CONCLUSION:

The proposal is considered to comply with Green Belt policies and the Master Planning Brief and thus is considered to be appropriate development. The building would contribute towards sustainability and is of a contemporary but good architectural design, the choice of materials appropriate (details of which should be submitted). Biodiversity would be protected and landscaping plans are considered to be appropriate. Highways advise that the proposal would be unlikely to result in a change in transport manoeuvres in connection with children going to the school. However, the new facility may likely result in additional 'outside' visitors and hence it recommended that a Transport Plan is produced.

RECOMMENDATION: APPROVAL WITH CONDITIONS

CONDITIONS:

1. C.2.1 – Standard time limit
2. C.13.1: Development in accordance with approved plans/details
A-05-010 Rev E & A-05-015 Rev D & A-05-017 Rev B & A-05-020 Rev C &
A-05-031 Rev D received and dated 16 March 2009
3. The development hereby approved shall be used as a facility ancillary to the main use of the site for educational purposes.

REASON: To ensure control over the scale of the use of development within the Metropolitan Green Belt. To comply with Planning Policy Guidance Note 2 and policy RA5 of the Welwyn Hatfield District Plan 2005.

4. C.5.1 – Samples of materials
5. All landscaping including, but not limited to, protective fencing around Root Protection Areas (RPA), excavation of hard standing within the RPA of T16 and T17, landscape plan as detailed within the 'Arboricultural and Planning Integration Report' by Quaife Woodlands, reference AR/1920a/jq dated February 2009, including appendices, shall be implemented and completed in accordance with the details therein.

REASON: To protect the existing planting in the interests of the visual amenity in accordance with policy D8 of the Welwyn Hatfield District Plan 2005.

6. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources (as described in the glossary of Planning Policy Statement: Planning and Climate Change (December 2007)) and detailed within the renewable planning statement by Preston Lee Chambers, February 2009. Details of the timetable and physical works on site, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the development contributes towards sustainable development and energy efficiency in accordance with policies SS1 and ENG1 of the East of England Plan 2008 and policies SD1 and R3 of the Welwyn Hatfield District Plan 2005.

7. Before the development hereby permitted is commenced, details shall be submitted to and approved in writing by the local planning authority of the measures to be taken in the design, construction, operation and decommissioning of the development to: minimise the amount of waste generated; to re-use or recycle suitable waste materials generated; to minimise the pollution potential of unavoidable waste, including appropriate remediation measures for any contaminated land; to treat and dispose of the remaining waste in an environmentally acceptable manner; and to utilise secondary aggregates and construction and other materials with a recycled content. The measures shall be implemented in accordance with the approved details.

REASON: To accord with the waste planning policies of the area in accordance with policy 7 of the Hertfordshire County Council Waste Local Plan 1999.

8. No demolition of buildings, or removal of trees, scrub or hedges, shall be carried out on site between the 1st March and 31st August inclusive in any year, unless searched beforehand by a suitably qualified ecologist and approved in writing by the Local Planning Authority.

REASON: In order not to disturb nesting birds or bats protected the Wildlife and Countryside Act 1981 (as amended) and bats under the Conservation

(Natural Habitats & c.) Regulations 1994, Planning Policy Statement 9 and policy ENV3 of the East of England Plan 2008.

9. Tree, annotated "dead" on plan submitted with the 'Arboricultural and Planning Integration Report' by Quaife Woodlands, reference AR/1920a/jq dated February 2009, Appendix A shall be felled in accordance with the manner detailed (and recommended) within the Bat Report dated February 2009 by Jones & Sons, Environmental Sciences Ltd. Prior to the felling of this tree, the developer shall advise, giving 7 working days notice of the felling of the tree, to the Local Planning Authority.

REASON: In order not to disturb nesting birds or bats protected the Wildlife and Countryside Act 1981 (as amended) and bats under the Conservation (Natural Habitats & c.) Regulations 1994, Planning Policy Statement 9 and policy ENV3 of the East of England Plan 2008..

10. Details of any external lighting shall be submitted to, and approved in writing by the Local Planning Authority. The details shall include position, height, design and intensity.

REASON: To ensure the site continues to be suitable for use by bats which may be adversely affected by light pollution in sensitive areas in accordance with Planning Policy Statement 9 and policy ENV3 of the East of England Plan 2008.

11. Should planning permission S6/2005/0863/FP be implemented then the permission hereby approved (S6/2009/0481/MA) shall not be implemented. Should planning permission S6/2009/0481/MA be implemented, then planning permission S6/2005/0863/FP shall not be implemented.

REASON: In the interests of the visual amenity of the Green Belt to ensure that the development complies with Planning Policy Guidance Note 2: Green Belts and the adopted Master Plan (2003).

12. A School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the first use of the development. The Travel Plan should set out clear objectives for maximising the proportion of people trips to the school which are made on foot, bicycle or other sustainable means of transport, and shall set targets for increasing such proportions with provision for monitoring their achievement.

REASON: To assist in achieving greater use of sustainable transport modes, with less reliance on the private car, in line with PPG13: Transport and County Council's sustainable transport policies.

13. All areas for parking and storage and delivery of materials associated with the construction of this development shall be provided within the site on land which is not public highway and the use of such areas must not interfere with the use of the public highway.

REASON: In the interest of highway safety and free and safe flow of traffic in accordance with PPG13: Transport.

14. C.8.5 – Wheel Washing Equipment`

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

Reason for Grant of FP/LB/CA/DT/ (**Approvals only**):

The proposal has been considered against Planning Policy Statement/Guidance PPS1, PPG2, PPS9 , PPS10, PPG13 & PPS22, East of England Plan 2008 SS1, SS2, T8, T9, T14 , ENV2, ENV3, ENV5, ENV7, ENG1 & WM6; Hertfordshire County Council Waste Local Plan 1999 policies 3 , 7, 8 and 11 and development plan policies SD1, GBSP1, R3, R4, R5, R11, R17, M14, D1, D2, D8, D9, D12, IM2, CLT2, CLT7, RA5, RA6, RA10 and RA28 of the Welwyn Hatfield District Plan 2005, in addition to the Human Rights Act 1998, which indicate that the proposal should be approved. Material planning considerations do not justify a decision contrary to the Development Plan (see Officer’s report which can be inspected at these offices).

INFORMATIVES:

1. The attention of the developer is drawn to the safe disposal of the asbestos on the site. Advice should be sought from the Health and Safety Executive prior to undertaking any works.
2. If bats are present it is illegal to intentionally kill, injure or catch them, damage, destroy or disturb their roosts, or to disturb bats. Bat roosts are also legally protected, even when bats are not present all of the time.
3. If bats are found to be present then a Habitat Regulations Licence (from Natural England) will be required, before any works affecting the roost can start.

Signature of author..... Date.....