

WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT
DELEGATED REPORT

APPLICATION No:	S6/2012/0547/S73B
APPLICATION Site:	Queenswood School, Shepherds Way

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 in footprint and has a 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 to renew the time limit condition of application full planning permission S6/2009/0481/MA, which comprises 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

- S6/2009/0481/MA Demolition of existing tennis building and demountable classrooms and construction of new multi-purpose sports hall with ancillary accommodation – Approved 5 May 2009.
- S6/2005/0863/FP Erection of new tennis centre and sports hall following demolition of existing buildings - Approved
- S6/2004/446 Alterations and extensions to the existing Great Hall to form a performing arts centre - Approved
- S6/2003/319 Erection of indoor swimming pool building - Approved
- S6/2002/37 Erection of glazed entrance to library - Approved
- S6/2000/1119 Formation of new vehicular access and gates to serve existing car park, and closure of existing access - Approved
- 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 - Approved

SUMMARY OF DEVELOPMENT PLAN POLICIES:

National Planning Policy Framework, March, 2012

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.

Welwyn Hatfield (Trees and Landscaping) – No objection to an extension in the time limit to implement development.

Hertfordshire Transportation and Policy – do not wish to restrict the grant of permission all of the conditions of application S6/2009/0481/MA are still applicable.

TOWN/PARISH COUNCIL COMMENTS

North Mymms Parish Council raised no comment.

REPRESENTATIONS

None. Period expired 6th June 2012.

DISCUSSION:

The main issues are:

1. Whether the Extension to the Time Limit is Acceptable
2. Other Material Considerations

1. Whether the Extension to the Time Limit is Acceptable:

This application is for an extension to the time limit of planning application reference S6/2009/0481/FP for the demolition of existing tennis building and demountable

classrooms and construction of new multi-purpose sports hall with ancillary accommodation.

The previous application is still relevant apart from any changes identified below in regards to:

- Changes to the surroundings context of the application site or the application site itself
- New planning history
- Changes to planning policy under which the proposal was approved

There have been no significant changes to the application site, surrounding context or planning history.

Since the previous approval the National Planning Policy Framework (NPPF) has been published (March 2012) and is a material planning consideration of this application. The NPPF supersedes most of the previous national planning policy guidance and statements, but gives an allowance for district plan policies prepared under the 2004 Planning and Compulsory Purchase Act to have their full weight for 12 months after the introduction of the NPPF.

Therefore, the Welwyn Hatfield District Plan 2005 Policies which the previous application was assessed under are still relevant and these covered most of the considerations in the determination of the previous application.

The NPPF has continued to ensure control over development within the Green Belt and most of the requirements are similar to those within PPG2. The District Plan policies for major developed sites are still relevant and the Green Belt policy requirements have not significantly changed since the previous approval.

The design policies of the District Plan continue to be relevant and the proposal would not conflict with any design requirements within the NPPF.

The District Plan community facility saved policy CLT7 continues to be relevant and the assessment of the proposal under this policy would not change from the previous approval.

The parking requirements of the site were assessed under the requirement of the District Plan and the Parking Standards SPG, which are both still relevant. The Highways matters and requirements for a travel plan continue to be required by the NPPF and the policies within the East of England Plan 2008 also encourage sustainable transport. Therefore, although the reason for a condition relating to a Green Travel Plan needs to be reworded, its requirements would not change. The change in policy has not resulted in a shift in the assessment or its requirements and this element of the proposal would be determined in the same way.

The trees and landscape assessment of the previous application was carried out using the district plan policies which are still relevant. The biodiversity assessment was carried out using mostly the requirements noted within PPS9. However, the legal requirements to ensure the appropriate management of protected species

remain and the NPPF retains these requirements to ensure that the planning assessment is sufficient.

It has been noted that the County Waste Plan was published prior to the Planning and Compulsory Purchase Act 2004 and therefore has less relevance. However, the Welwyn Hatfield District Plan 2005 included a policy which addresses waste management and is sufficient to cover the assessment required within the previous application.

Although there has been a change to national planning policy there are not any requirements raising new issues which would justify the need of a fresh planning application. Some of the previous conditions have slightly less relevance, however, the principle of the development and its impact upon the surrounding environment would not change. No letters of representation have been received from neighbours or North Mymms Parish Council. It is considered reasonable that the current planning application should be subject to similar conditions to the previous planning application.

2. Other Material Considerations

At the time of the approval of application S6/2012/0547/S73B there was an extant consent under reference S6/2005/0863/FP which would have allowed development to be partly built alongside the proposal. It was appropriate to condition the new proposal to not be built with the earlier consent as the developments would not have sat well next to each other. As the previous consent has now expired it is not necessary to condition this application in the same way.

The previous application included a condition requiring wheel washing equipment to be agreed. Due to the practicalities of enforcing the use wheel washing equipment and fact that developers are required to not create a hazard on the public highways through other legislation, this requirement is now usually applied as an informative. Therefore, this condition is not considered to still be necessary and would be altered to give the applicant advice within an informative.

CONCLUSION:

When reassessed under the current policy requirements the proposal is considered to comply with Green Belt policies and the Master Planning Brief and 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 is 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 National Planning Policy Framework, March, 2012 and policy RA5 of the Welwyn Hatfield District Plan 2005.

Pre-Development

4. C.5.1 – Samples of materials
5. At least 10% of the energy supply of the development shall be secured from decentralised and renewable or low-carbon energy sources (as 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.

6. 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 R5 of the Welwyn Hatfield District Plan 2005.

7. 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 the National Planning Policy Framework, March, 2012 and policy ENV3 of the East of England Plan 2008.

8. 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 the National Planning Policy Framework, March, 2012 Council's sustainable transport policies.

9. 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, the National Planning Policy Framework, March, 2012 and policy ENV3 of the East of England Plan 2008.

Post Development

10. Tree, annotated "dead" on plan submitted with the 'Arboricultural and Planning Integration Report' by Quaipe 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, National Planning Policy Framework, March, 2012 and policy ENV3 of the East of England Plan 2008.

11. 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 the National Planning Policy Framework, March, 2012

Post Development

12. 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.

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

Reason for Grant of Full Planning Consent:

The proposal has been considered against the National Planning Policy Framework, March, 2012, 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.
4. INF 10: Wheel Washing

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