

WELWYN HATFIELD BOROUGH COUNCIL – DEVELOPMENT MANAGEMENT
DELEGATED REPORT

APPLICATION No: S6/2014/2765/S73A

SITE ADDRESS: Queenswood School, Shepherds Way, Brookmans Park

DESCRIPTION OF DEVELOPMENT: Variation of condition 2 (time restriction) of Planning Application S6/2011/0743/FP to allow for retention until 8th June 2020.

RECOMMENDATION: GRANT CONDITIONALLY

1. SITE AND APPLICATION DESCRIPTION:

The site is located on the southern side of Shepherds Way and is within Queenswood Girls' School. The wider site is large and contains several buildings and associated structures. The application site is currently comprised of a single storey, three classroom, temporary modular block. This building is approximately 28.6m wide by 9.8m in depth with a flat roof to a maximum height of approximately 3.4m. This building is located adjacent to an art block building and an area of mature trees and vegetation which separate one of the car parks. The site and surroundings are well landscaped with mature trees and vegetation.

This planning application is made under section 73 of the Town and Country Planning Act 1990 that relates to determination of applications to develop land without compliance with conditions subject to which a previous planning permission was granted, subject to revised/new conditions meeting the requirements of the National Planning Policy Guidance (NPPG) and paragraph 206 of the National Planning Policy Framework (NPPF).

This application specifically relates to the alteration of condition 2 of permission S6/2011/0743/FP which states that:

“This permission is for a limited period only expiring on 8th June 2016 and the building hereby permitted shall be removed and the land restored to its former condition on or before that date.

REASON: The proposed development is required as a temporary building to enable approved developments within the site to take place. Once the approved works have been carried out the site should be restored to prevent a permanent impact upon the Green Belt and allow the site to meet the objectives of the sites Master Plan and the requirements of Policy RA5 of the Welwyn Hatfield District Plan 2005.”

2. SITE DESIGNATION:

The site lies within Metropolitan Green Belt, the Northaw Common Parkland Landscape Character Area as outlined in the Welwyn Hatfield District Plan 2005.

3. RELEVANT PLANNING HISTORY:

The Queenswood School site has an extensive planning history, the most recent and relevant applications have been noted below:

- S6/2011/0743/FP Demolition of existing modular classroom and replacement modular classrooms for a temporary five year period - Approved
- S6/2010/1638/FP Minor Alterations to External Appearance – Approved
- S6/2010/0658/FP Erection of a services enclosure attached to the existing swimming pool building – Approved
- S6/2009/0481/MA Demolition of existing tennis building and demountable classrooms and construction of new multi-purpose sports hall with ancillary accommodation – Approved
- S6/2007/0405/FP Variation of condition 1 of application no. S6/2000/1119/FP to allow separate entrance and exit to car park – Approved
- S6/2006/470/FP Demolition of existing residential properties and erection of 3 no. 3 bed residential units for staff accommodation – Approved
- 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

4. CONSULTATIONS:

Hertfordshire County Council Education – None received

Welwyn Hatfield Borough Council Landscape and Ecology – No objections

5. NEIGHBOUR REPRESENTATIONS:

None received

6. TOWN/PARISH COUNCIL REPRESENTATIONS

None received

7. MAIN PLANNING ISSUES AND RELEVANT PLANNING POLICIES:

The main planning issues with this application are:

a) Whether it is acceptable, in the interests of the impact on the Green Belt, character of the area and residential amenity, that the condition be varied

8. ANALYSIS:

a) Whether it is acceptable, in the interests of the impact on the character of the area and residential amenity, that the condition be varied

Since the application does not seek to extend the life of the original permission there is no requirement to assess the principle of development again. The sole key issues to address are, therefore, the impact on the visual amenity of the area, including the Green Belt, and the impact on neighbouring amenity.

The principle of the development within the Green Belt (Local Plan Policies D1, D2, D8 & NPPF (paragraphs 79-90)).

Appropriateness of development

It is considered that the proposal represents a new building within the countryside. There are no exceptions in the Local Plan Policies for Green Belt Policy or in the NPPF (paragraphs 89 and 90) which support this type of new development in the countryside. The proposal is, therefore, by definition inappropriate development. In reaching this view it is considered that the land is not previously developed (PDL) as defined in Annex 2 of the NPPF.

Accordingly, the proposal is contrary to the NPPF and this harm carries substantial weight as set out in the NPPF (para.88).

Purposes of including land in the Green Belt

It is necessary to consider whether the proposal would comply with the five purposes of including land in the Green Belt. The proposal is not considered to lead to unrestricted sprawl of a large built-up area due to the scale and location of the development and would not contribute towards neighbouring towns merging into one another. It would not impact upon the preservation of the setting and special character of historic towns or assist in urban regeneration, due to its nature and rural setting which is not adjacent to a historic town. Notwithstanding the above, the proposal would extend the built form towards the north of the site, threatening the countryside from encroachment.

However, the proposal is located adjacent to existing built form, reducing the harm in this regard. Having regard to the above, limited weight should therefore be attached to the harm the development would have on the purposes of including land within the Green Belt.

Impact upon the openness of the Green Belt

The cumulative addition to the built form of the site which the proposal seeks, is considered to represent an adverse impact on the openness of the Green Belt by virtue of contributing towards an increase in the built form at the application site. This increase in built form adds to the physical permanence of development at the site and would represent a detrimental impact on the openness of the Green Belt. Additionally, the scale, bulk and mass of the proposal would reduce the openness of this section of Green Belt. However, as discussed above, the openness of this particular area of Green Belt has already been impacted upon by existing buildings within close proximity of the temporary building. Taking the above into account it is considered that the proposal would result in additional harm to the openness of the Green Belt which has been afforded moderate weight.

Impact on character and appearance and the visual amenity of the Green Belt

The previous report concluded that the site layout, scale, bulk and mass and the overall design of the proposal was acceptable. As such, the previous approval for this site (application S6/2011/0743/FP) established that the design and appearance of the development complied with Local Plan Policies D1, D2, D8 and RA10. This conclusion was subject to the imposition of conditions requesting the land to be restored to its former condition following removal of the temporary building (included within condition 2) and the materials to be in accordance with the submitted plans (condition 4). A condition was also imposed to ensure that there was no detrimental harm to the vegetation within the application site (condition 5).

Being of a temporary nature, the buildings design is functional and would sit within its setting without introducing any significant harm and, therefore, the design is accepted in this regard. As the building is constructed, however, it is not considered necessary to carry forward the above mentioned conditions 4 and 5 from application S6/2011/0743/FP. Notwithstanding the above, it is considered reasonable to carry forward the above mentioned element of condition 2 from application S6/2011/0743/FP, to ensure that the landscaping at the site is acceptable following the removal of the temporary building.

Furthermore, given the nature of the works and that it is sited adjacent to substantial built form, the proposal is not considered to result in a discernible change to the site with regard to its setting within the Northaw Common Parkland Landscape Character Area and thus accords with Policy RA10 in this regard.

Taking all of the above into account, subject to relevant conditions, the temporary proposal would appropriately relate to the surrounding area, satisfying RA10, D1, D2 and D8 of the District Plan, the Supplementary Design Guidance; Statement of Council Policy 2005 and chapter 7 of the NPPF.

Very special circumstances

Having regard to the above, it is considered that the proposal represents inappropriate development within the Green Belt. As with previous Green Belt policy inappropriate development is harmful to the Green Belt and paragraph 87 of the NPPF states that it should not be approved except in very special circumstances.

The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Paragraph 72 of the NPPF states that Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to promote development that will widen choice in education. Paragraph 72 then goes on to state that Planning Authorities should give great weight to the need to create, expand or alter schools.

The applicant has stated that the main reason that Queenswood School cannot provide this essential teaching space in any other way at the present time is that the development of the proposed Queenswood Hall, which would, in turn have allowed the former swimming pool to be converted to teaching space to accommodate this use, has proved impossible to fund at the present time. Furthermore, the applicant has stated that it is vital that that the School know that they have the facilities to teach the curriculum for the foreseeable future. An extension to 2020, therefore, would give a reasonable target for the School to raise capital and complete a build. Any shorter time period than would lead to a need to review the planning situation again, costing the school money and further delaying their ability to focus their resources on the delivery of Queenswood Hall.

For reasons, some of them beyond the School's control, a need has arisen whereby the building is required for a longer period of time than previously approved. It is considered that the above justification to retain the temporary building (which would not result in permanent harm to the Green Belt), and given the Governments' strong emphasis on ensuring that communities have access to sufficient educational facilities, with particular regard to Section 8 of the NPPF, the weight given to the need to temporarily expand the School's educational facilities, on balance, represents the very special circumstances that are required to outweigh the above mentioned harm.

It is likely that by June 2020 there would be a better understanding of the issues affecting the School, including economic, and therefore it is agreed that it would be reasonable to permit an extension of time for this building. In order to ensure that the building is removed on or before 8th June 2016, a condition will be imposed requiring the removal of the building within this timescale and all infrastructure, directly associated with this building, to be removed from the site within 3 months of the removal of the building.

Residential Amenity

In terms of the impact of the proposed changes on the residential amenity of adjoining occupiers, the approved scheme was not considered to result in detrimental impacts in this regard.

As there are no neighbouring properties within the immediate vicinity, the proposal is not considered to result in discernible changes over existing with regard to its impacts on the residential amenity. It therefore satisfies policies D1 and R19 in this regard and is not contrary to the relevant paragraphs of the NPPF.

9. CONCLUSION:

The variation of Condition 2 of planning permission S6/2011/0743/FP would not have such a significant impact above and beyond the approved scheme that should lead to a different decision being given to that of the original application. Subject to the inclusion of the relevant highlighted conditions from the approved decision notice S6/2011/0743/FP, the proposed variation is both appropriate and acceptable.

10. CONDITIONS:

1. C.13.1 Development in accordance with approved plans/details: 068 received and dated 23 December 2014 & A-01-001 & A-00-010 received and dated 09 March 2015.
2. The development hereby approved shall be removed on or before 8th June 2020. All materials arising from the removal of the building, together with any associated hard surfacing, including the path to the south west of the building, and foundations shall be cleared within 3 months of the building's removal.

REASON: In the interests of the amenity of the Green Belt, to ensure, in accordance with the very special circumstances case advanced, that the building is of a temporary nature required only until the additional teaching space at Queenswood Hall has been provided.

SUMMARY OF REASONS FOR THE GRANT OF PERMISSION:

The decision has been made taking into account, where practicable and appropriate the requirements of paragraphs 186-187 of the National Planning Policy Framework and 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:

None

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