

**WELWYN HATFIELD BOROUGH COUNCIL
EXECUTIVE DIRECTOR - PLANNING, PUBLIC PROTECTION AND GOVERNANCE**

DELEGATED APPLICATION

Application No: 6/2017/2962/FULL
Location: Rhodes Wood Hospital, Shepherds Way, Brookmans Park, Hatfield, AL9 6NN
Proposal: Erection of a single storey detached therapy building
Officer: Mr David Elmore

Recommendation: Granted

6/2017/2962/FULL

Context	
Site and Application description	<p>The application site is located to the northern side of Shepherds Way in Brookmans Park and comprises Rhodes Wood Hospital – a specialist inpatient treatment centre for children and adolescents who experience eating disorders.</p> <p>The principal building (Mymwood House) was built as a residential dwelling around 1820 and is a two-storey detached white rendered building with a pitched slate roof. Mymwood House previously had a single storey, flat roofed extension to the rear. The building was used as a residential care home for the elderly since the mid-1980's and before this had been used as a boarding school from the 1930's. Some single storey additions were replaced in 2008 by a substantial single storey extension to this main building in order to support the building's use as a care home.</p> <p>Mymwood House is set back from the highway by approximately 65m. To the front of the site is a detached building named Mymwood Lodge. Both Mymwood House and Mymwood Lodge are Grade II Listed. The site lies within the Metropolitan Green Belt and the North Common and Newgate Street Farmed Plateau Landscape Character Area.</p> <p>The site slopes upwards from the west to the eastern boundary and Mymwood House is set on an excavated ground level. To the east of the site is an adjacent residential development (Lysley Place). The nearest property to the proposed development, which lies beyond the eastern boundary is 'The Barn'. To the immediate north of the site is open recreational ground associated with the hospital. The west and north-western boundary of the site is bounded with mature trees beyond which are open fields.</p> <p>Planning permission is sought for the erection of a single storey therapy building. Initially the application also included an ancillary storage building, however this has since been omitted from the proposal.</p> <p>The proposed therapy building would be sited on a triangular shaped parcel of land to the north-western side of the site. This detached building would be single storey and faced in brickwork below a pitched tiled roof. External materials are proposed to match those used on the adjacent single storey extension to Mymwood House. The building would incorporate 3no group rooms, a therapy room, staff room, kitchen, bathroom and boardroom.</p>
Constraints (as	LBC - LISTED BUILDING House. Circa 1820, converted to school 1932. C17 -

<p>defined within WHDP 2005)</p>	<p>Distance: 17.37</p> <p>LBC - NULL NULL - Distance: 16.89</p> <p>GB - Greenbelt</p> <p>LCA - Landscape Character Area (North Mymms Common and Newgate Street Farmed Plateau)</p> <p>PAR - PARISH (NORTH MYMMS)</p> <p>Wards - Brookmans Park & Little Heath</p> <p>HEN - No known habitats present (medium priority for habitat creation) - Distance: 0</p> <p>SAGB - Sand and Gravel Belt</p>
<p>Relevant planning history</p>	<p>Application number: S6/2009/2255/MA Decision: Granted Decision date: 26/01/2010 Proposal: Variations to planning and listed building consents S6/2008/556/LB, S6/2007/1711/LB, S6/2007/1704/MA. Retention of alterations to fenestration, fencing, gates, cctv, lighting and plant installations, car parking, bin storage, hard surfacing, extension to basement area under new build, decking and balustrade to eastern flat roofed area, substation and siting of standby generator, creation of all-weather activity area.</p> <p>Application number: S6/2009/0665/FP Decision: Granted Decision date: 29/05/2009 Proposal: Erection of single storey side and rear extensions following demolition of existing side and rear extensions</p> <p>Application number: S6/2008/0693/MA Decision: Granted Decision date: 10/07/2008 Proposal: Removal of condition 5 (Age Restriction) of previous planning application S6/2007/0422/FP</p> <p>Application number: S6/2008/0695/MA Decision: Granted Decision date: 10/07/2008 Proposal: Removal of condition 5 (Age Restriction) of previous planning application S6/2007/1704/FP</p> <p>Application number: S6/2007/1704/MA Decision: Granted Decision date: 11/02/2008 Proposal: Erection of single storey side and basement level extensions</p> <p>Application number: S6/2007/0422/FP Decision: Granted Decision date: 13/06/2007 Proposal: Removal of pre-fabricated buildings and erection of extensions and provide 13 additional bedrooms and ancillary accommodation</p>
<p>Consultations</p>	

Neighbour representations	Support: 0	Object: 1	Other: 0
Publicity	Site Notice Display Date: 5 February 2018 Site Notice Expiry Date: 26 February 2018 Press Advert Display Date: 24 January 2018 Press Advert Expiry Date: 7 February 2018		
Summary of neighbour responses	North Mymms Green Belt Society have objected to the proposal, outlining that the building would represent inappropriate development in the Green Belt and have a great impact on Green Belt openness.		
Consultees and responses	The statutory consultation responses received are summarised below, and where appropriate expanded upon in later sections of this report. Historic Buildings Consultant (Place Services) – Following amendments and re-consultation, the therapy building would cause less than substantial harm to the significance of Mymwood House Hertfordshire County Council Transport Programmes and Strategy (HCCTPS) – No objection. Hertfordshire County Council Historic Environment Advisor – No comment. North Mymms Parish Council – No objection		
Relevant Policies			
<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input checked="" type="checkbox"/> GBSP1 <input checked="" type="checkbox"/> GBSP2 <input checked="" type="checkbox"/> M14 <input checked="" type="checkbox"/> Supplementary Design Guidance <input checked="" type="checkbox"/> Supplementary Parking Guidance <input checked="" type="checkbox"/> Interim Policy for car parking and garage sizes Others: Saved Local Plan Policies D8 and R17; Emerging Local Plan Policies SP4, SADM2, SP9, SADM11, SADM12, SADM15, SADM16 and SADM34			
Main Issues			
Is the development within a conservation area?			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
Would the significance of the designated heritage asset be conserved or enhanced?			
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Comment: The application site is located in proximity to the Grade II Listed Mymwood School and the Grade II Listed Mymwood Lodge, which form part of the Rhodes Wood Hospital site. Section 16 of the Listed Buildings and Conservation Areas Act states that the local planning authority shall have “special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”. The specific historic environment policies within the NPPF are contained within paragraphs 126-141. Paragraph 131 of the NPPF states, ‘ <i>In determining planning applications, local planning authorities should take account of:</i> <i>The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;</i> <i>The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and</i> <i>The desirability of new development making a positive contribution to local character and distinctiveness.</i> ’ Paragraph 132 of the NPPF outlines that, when considering the impact of a proposed development on the significance of a designated heritage asset, ‘great weight’ should be given to the asset’s			

conservation and the more important the asset the greater the weight it should be given. Paragraph 133 states that where proposed development will lead to substantial harm or total loss of significance of a designated heritage asset, Local Planning Authorities should refuse consent unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh the harm. Where the harm is considered less than substantial Paragraph 134 states that this should be weighed against the public benefits of the proposal. The NPPF therefore does allow for a degree of harm to a heritage asset in particular circumstances.

The Council's Historic Building Advisor has been consulted for this application. Concerns were initially expressed regarding the style and materiality of the proposed therapy building. Following negotiations with the case officer, the materials of the proposed building have now been amended to brick to match those of the existing adjacent brick extension to the main Mymwood House.

The Council's Historic Building Advisor was re-consulted and considers that the amended materiality of the proposed therapy building would be sympathetic to the listed building and presents no concerns. Overall, the Council's Historic Building Advisor considers that whilst the proposed building would cause harm to the significance of the respective listed building due to the change in setting, the level of harm was considered minimal and toward the lower end of the scale of less than substantial. Paragraph 134 of the NPPF states that less than substantial harm must be weighed against the public benefits of the proposal.

Rhodes Wood Hospital provides specialist inpatient treatment for children and adolescents who experience eating disorders. Clear public benefit would accrue for patients suffering with such an illness and those families affected. The benefits of the facilities proposed have been explained in detail within the 'Very Special Circumstances' section of this report. It is considered that such a public benefit would outweigh the less than substantial harm which would result from a conservation perspective.

Would the development reflect the character of the area?

Yes No

Comment: Policies D1 and D2 of the Local Plan respectively require high quality design in all new development and for proposals to respect and relate to the character and context of their location, maintaining and where possible enhancing the character of the existing area. Policy GBSP2 directs new development into the existing towns and specified settlements within the district, providing that it will be limited to that which is compatible with the maintenance and enhancement of their character. These policies are expanded upon in the Council's SDG and as a whole are consistent with the NPPF, in particular, paragraph 17 which requires, amongst other things, that decision taking should always seek to secure high quality design.

The proposed therapy building would be single storey with a dual pitched roof. Its footprint would measure approximately 154sqm with a total height of approximately 5.15m. The external materials are intended to match exactly those used on the adjacent single storey extensions to Mymwood House (Ref: S6/2007/1704/MA & S6/2007/1711/LB). This incorporates the use of a yellow/buff brick facing and slate roof tiles.

Having regard to its scale, design and appearance, it is considered that the proposed therapy building would reflect the design and character of the site and remain subordinate in scale to the enlarged Mymwood House. This building would also be sufficiently separated and well screened from any public vantage points so as to ensure that there would be no adverse effect upon the visual amenity of its rural setting. Subject to samples of materials being submitted to and agreed by condition, it is considered that this building is acceptable in design terms.

Would the development maintain the amenity of adjoining occupiers? (e.g. privacy, outlook, light etc.)

Yes No

Comment: The nearest residential properties are well separated from the application site. Therefore, the proposal would not result in any harm in this respect.

Would the development provide / retain sufficient parking?

Yes No

Comment: No details of existing parking provision have been provided alongside this application and no additional parking is proposed. During the site visit the case officer observed that there were approximately 45 marked vehicle parking spaces within the site. It was also noted that a number of spaces were available at the time of the site visit and that there was no demand for on-street parking along Shepherds Way. Consequently, the existing number of parking spaces available on site is considered to be appropriate. Furthermore, the proposal is not considered likely to generate significant additional demand for parking given its ancillary role for the benefit of existing patients and as such, a sensible level of parking provision would still be achieved.

HCCTPS have been consulted for this application and present no objection from a highway perspective.

Any other issues

Appropriateness of development in the Green Belt, effect on the openness and purposes of including land in the Green Belt

Appropriateness

The application site is located within the Metropolitan Green Belt. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence.

This application proposes the erection of a single storey detached therapy building. Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate, apart from a number of exceptions. The proposed building, whilst detached, is considered to represent an adjunct to the principal Mymwood House building. As such, the relevant exception in this particular case is:

'The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.'

Relevant policies contained within the Council's saved Local Plan and Emerging Local Plan have a presumption against inappropriate development in the Green Belt, consistent with the NPPF.

The original building has been substantially enlarged under ref: S6/2007/1704/MA and deemed appropriate in Green Belt terms under very special circumstances. The proposed development would result in disproportionate additions over and above the size of the original building.

A representation has been received from North Mymms Green Belt Society objecting to this application on the grounds of inappropriate development in the Green Belt and impact on Green Belt openness.

Openness

Whilst there is a visual element to loss of openness in the sense that a loss of openness is perceived by the human eye, openness is essentially an absence of built development in the Green Belt and that is one of the essential characteristics which national policy seeks to protect. It seeks to keep land free from built development and the curtilage of buildings have an important role to play in keeping land open. In this case, as a consequence of the increase footprint and scale of the built development which would result from the proposal, there would be a loss of openness and visual permeability of the Green Belt.

Purposes of including land in the Green Belt

Paragraph 80 of the NPPF states that the Green Belt serves five purposes:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns from merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The proposed therapy building would be sited on a 0.03ha area of closely mown grass to the north-western side of the application site, directly adjacent to open countryside. Notwithstanding the close proximity this building would be to open countryside, it would be contained within the established curtilage of the hospital and read as part of the existing built form within the site. Furthermore, existing landscaping in the form of established mature trees along the west and north-western boundary would be retained. Having regard to these factors, it is considered that the proposed larger therapy building would still safeguard the countryside from encroachment and would not be contrary to any other of the above purposes.

Conclusion

The proposal would represent inappropriate development within the Green Belt. In addition to this harm, there would also be harm to the openness of the Green Belt. Consequently the proposed development would conflict with Policy GBSP1 of the saved Local Plan, Policy SADM34 of the Emerging Local Plan and relevant provisions of the NPPF.

Whether there are any very special circumstances to clearly outweigh any potential harm to the Green Belt

Harm would be caused to the Green Belt as a result of inappropriate development and a loss of openness. In accordance with Paragraph 88 of the NPPF substantial weight should be afforded to this harm. Subject to conditions, there would be no harmful effect in relation to harm to the character and appearance of the site and its immediate context, nor to the setting of the designated heritage assets, however these are taken as neutral factors.

The NPPF advises that, when considering planning applications, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special Circumstances' (VSC) will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The applicant suggests that the application exhibits a set of VSC based on the following factors:

- The proposed group therapy unit will support the continuation of Rhodes Wood Hospital as a key healthcare facility for children and adolescents with eating disorders;
- Rhodes Wood Hospital is the only facility within Hertfordshire that provides an inpatient service for eating disorder care, for which there is an identified need for this type of therapy hub; and
- The care and treatment programme for individuals with eating disorders requires that both the physical consequences of the patient's eating disorder, as well as the related underlying psychological and social

	<p>elements, are treated. The provision of a purpose-built therapy unit will therefore meet this identified need.</p> <p>Further to the above, it is understood that the existing facility is restricted on space and every aspect is utilised to its capacity. The proposed therapy building would help to support holistic treatment of this illness on site. The requirements of the proposed development is solely to develop and enhance group therapy for the benefit of existing patients, in accordance with their identified pathway. As such, the capacity and function of the site as a residential institution (use class C2) would not be materially increased. The proposed development would also enable the listed building to further continue in beneficial use.</p> <p>It is considered, when looking at the case as a whole, VSC exist to clearly outweigh the harm to the Green Belt and justify the development.</p> <p><u>Landscaping</u></p> <p>The proposed therapy building would be erected within close proximity to established trees running parallel with the north-western boundary (outside the application site). These trees contribute to the visual amenity of the area and its rural setting. It is recommended that they are retained and protected during construction in accordance with Policies D8 and R17 of the Local Plan.</p> <p>Subject to a condition over tree protection, the proposed development is considered acceptable in landscape terms.</p>
<p>Conclusion</p>	
<p>Subject to the suggested planning conditions, the proposed development would respect and relate to the character and appearance of the site and its surrounding area. Furthermore, the public benefits accruing from the proposed facilities and service provided would outweigh the minimal effect upon the setting of the Grade II Listed Mymwood House and Mymwood Lodge building.</p> <p>The proposed development would not harm highway safety, a sensible level of parking provision would be retained and the living conditions of adjacent occupiers would not be adversely affected.</p> <p>The harm to the Green Belt by reason of inappropriateness and harm to Green Belt openness is viewed to be clearly outweighed by the significant benefit of the proposed facilities to support the continuation of Rhodes Wood Hospital as a key healthcare facility in Hertfordshire for children and adolescents within eating disorders, and also assisting the listed buildings on the application site to further continue in beneficial use.</p> <p>Accordingly, the proposed development is considered to be acceptable in planning terms, in accordance with the above relevant local and national planning policies.</p>	

Conditions:

1. No development shall take place until precise details of the brickwork, windows, rooflights, roof tiles and doors of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. The development must not be carried out other than in accordance with the approved details.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity and setting of designated heritage assets in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005, Policies SP9 and

SADM15 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and National Planning Policy Framework 2012.

2. No development shall take place until a tree protection plan and method statement has been submitted to and approved in writing by the Local Planning Authority. The approved details must be fully adhered to from commencement to final completion of the building works.

REASON: To protect the existing trees and hedgerows in the interest of visual amenity in accordance with Policies D8 and R17 of the Welwyn Hatfield District Plan 2005, Policy SADM16 of the Welwyn Hatfield Borough Council Draft Local Plan Proposed Submission August 2016 and National Planning Policy Framework 2012.

DRAWING NUMBERS

3. The development/works shall not be started and completed other than in accordance with the approved plans and details:

Plan Number	Revision Number	Details	Received Date
RWH-V1-05_20-PX01	P06	Proposed Site Plan	6 April 2018
RWH-V1-05_20-PR01	P04	Proposed Roof Plan	20 March 2018
RWH-V1-05_20-P001	P04	Proposed Ground Floor Plan	20 March 2018
RWH-V1-05_20-PE01	P06	Proposed Elevations & Section	20 March 2018
RWH-V1-05_20-PL01	P06	Location Plan	6 April 2018

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

1. POSITIVE AND PROACTIVE STATEMENT

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 viewed on the Council's website or inspected at these offices).

Informatives:

1. This permission does not convey any consent which may be required under any legislation other than the Town and Country Planning Acts. Any permission required under the Building Regulations or under any other Act, must be obtained from the relevant authority or body e.g. Fire Officer, Health and Safety Executive, Environment Agency (Water interest etc. Neither does this permission negate or override any private covenants which may affect the land.

Determined By:

Mr Chris Carter
27 April 2018