

**WELWYN HATFIELD BOROUGH COUNCIL  
ASSISTANT DIRECTOR (PLANNING)**

**DELEGATED APPLICATION**

**Application No:** 6/2023/0859/FULL  
**Location:** Stanborough School Lemsford Lane Welwyn Garden City AL8 6YR  
**Proposal:** Construction of three external 11m x 15m canopies for the primary use as a external dining space. Siting of catering kiosk  
**Officer:** Ms Louise Sahlke

**Recommendation:** Granted

6/2023/0859/FULL

<b>Context</b>	
<b>Site and Application description</b>	<p>Stanborough School is located to the southwest of Welwyn Garden City situated near Stanborough Park. The main school site contains school buildings, hard play and an all-weather pitch, with two access points from Lemsford Lane providing pupil and visitor access and limited parking. A third gate from Lemsford Lane gives access to the main staff carpark to the east of the site. The site is surrounded by planting on its perimeter, with extensive playing fields and MUGA sports pitches to the south of the site.</p> <p>The application sites are in three locations in areas of existing hardstanding within the school grounds adjacent to existing school buildings.</p> <p>Playing fields are located on the second site to the east, adjacent to the Gosling Sports Park on the other side of Stanborough Road. The school is split over two sites on either side of Stanborough Road, connected by footpaths.</p> <p>The surrounding area consists of recreational grasslands to the west, south and east, with primarily two-storey post-war residential developments to the north on Lemsford Lane. Part of the wider school site is located within the Conservation Area.</p> <p>The proposal seeks planning permission for the construction of three external 11m x 15m canopies for the primary use as an external dining space</p> <p>Planning permission has already been granted for the principle of two of the three canopies under reference 6/2021/0128/FULL. The key differences are a change in orientation of canopy 2, change of final design with element of enclosure on canopy 2, removal of the need for additional hardstanding and inclusion of a third canopy.</p>
<b>Constraints (as defined within WHDP 2005)</b>	<p>AAS - Area of Archaeological Significance Area of Archaeological Significance : AAS11 - Distance: 0</p> <p>SAG - 0 - Distance: 0</p> <p>GB - Greenbelt - Distance: 18.96</p> <p>ROW - FOOTPATH (WELWYN GARDEN CITY 004A) - Distance: 34.68</p>

	<p>UOL - Urban Open Land (Proposal map 2) - Distance: 0</p> <p>Wards - Handside - Distance: 0</p> <p>HEN - No known habitats present (medium priority for habitat creation) - Distance: 0</p> <p>HEN - No known habitats present (high priority for habitat creation) - Distance: 0</p> <p>SAGB - Sand and Gravel Belt - Distance: 0</p>		
<b>Relevant planning history</b>	<p>Most relevant application in regards to canopies:</p> <p>Application Number: 6/2021/0128/FULL</p> <p>Decision: Granted</p> <p>Decision Date: 10 May 2021</p> <p>Proposal: Construction of two external canopies, siting of catering kiosk and creation of new tarmac area</p>		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 0	Other: 0
<b>Publicity</b>	<p>Site Notice Display Date: 18 May 2023</p> <p>Site Notice Expiry Date: 9 June 2023</p>		
<b>Summary of neighbour responses</b>	None.		
<b>Consultees and responses</b>	<p>WHBC - Public Health and Protection - Public Health and Protection - No issues to raise.</p> <p>Hertfordshire County Council - Historic Environment Advisor – No comments received.</p>		
<b>Relevant Policies</b>			
<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input 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  R17 Trees, Wood and Hedgerow R19 Noise and Vibration R29 Archaeology M5 Pedestrian Facilities M6 Cycle Routes and Facilities D8 Landscaping D9 Access and Design for People with Disabilities OS1 Urban Open Land CLT8 New and Extended Education Facilities  <u>The Welwyn Hatfield Draft Local Plan Proposed Submission (August 2016) Incorporating the Proposed Main Modifications (January 2023):</u>  SP1 Delivering Sustainable Development			

SP4 Transport and Travel  
 SADM2 Highway Network and Safety  
 SP9 Place Making and High-Quality Design  
 SADM11 Amenity and Layout  
 SADM12 Parking, Servicing and Refuse  
 SP10 Sustainable Design and Construction  
 SADM13 Sustainability Requirements  
 SP11 Protection and Enhancement of Critical Environmental Assets  
 SADM15 Heritage  
 SADM16 Ecology and Landscape  
 SADM17 Urban Open Land  
 SADM18 Environmental Pollution

**Main Issues**

<p><b>Principle of Development</b></p>	<p>Proposals for new or extended facilities for schools will be granted planning permission provided that:</p> <ol style="list-style-type: none"> <li>1) They are situated close to centres of population and passenger transport services;</li> <li>2) They provide opportunities for shared journeys, for example by school bus;</li> <li>3) They provide facilities for the secure storage of bicycles for students and staff;</li> <li>4) The proposal complies with the Council's current car parking standards and there would be no adverse impact on the highway network including highway safety;</li> <li>5) Provision is made for the safety of students whilst being dropped off or picked up;</li> <li>6) There would be no harmful impact on the amenity of nearby residential properties and other uses; and</li> <li>7) There would be no significant impact on the character of the area.</li> </ol> <p>These matters are assessed in the relevant sections below. Subject to the proposal meeting each of these points, the principle of development is considered acceptable in regards to the National Planning Policy Framework, and Policy CLT8 of the District Plan 2005.</p>
<p><b>Design (form, size, scale, siting) and Character (appearance within the streetscene)</b></p>	<p>The proposal seeks for the construction of three external single storey canopies for the primary use as additional all-weather outdoor dining space. The proposed canopies will be located adjacent to the existing teaching blocks, on an area of hardstanding which is currently used as an informal area by students. As such the development would not adversely impact on the existing playing pitch areas.</p> <p>The proposed canopies are of a lightweight and open design, with the exception of canopy 2 which will be partly enclosed alongside two sides constructed from a metal frame with a low-pitched roof. The materials proposed comprises of a translucent tension fabric covering roof and side panels with steel frame in grey. Internally, the canopies will house tables and chairs. The structures would be read in the context of the existing two storey school blocks. The visual impact of the proposals would be limited given their recessive design, the use of materials that are sympathetic to the school buildings and their proximity to existing built form that are of greater scale. The development is therefore not considered to be dominant in views from the surrounding area.</p>

	<p>A small catering kiosk is also proposed to be located within one of the canopies to serve food and drinks to members of the school which in itself is likely to be considered permitted development since it would be used for a purpose incidental to the existing school.</p> <p>Overall, the proposed development is considered to have limited impact on the visual amenities of the school site and as such the scheme would sufficiently maintain the character and appearance of the application site and its wider setting.</p>
<b>Urban Open Space</b>	The function of the Urban Open Land would be maintained as the proposed canopies and areas of additional hardstanding would be built within the existing school site and does not form part of the more widely used area of Urban Open Land to the south west of the school.
<b>Impact on neighbours</b>	<p>The school site is surrounded by residential properties predominantly to the north along Lemsford Lane. The proposal would be located amongst the existing school buildings and would be sufficiently distanced from the nearest neighbouring properties. Consequently, the development would not have an impact on the amount of sunlight and daylight levels, appear overbearing or cause any loss of privacy.</p> <p>The proposal would not increase the number of pupils attending the school and the number of cars to the site. Whilst outdoor dining areas are proposed, due to the nature of the school use, it is considered that the noise levels on the site would remain similar at break times and would not be to an extent that would harm the amenity of adjoining occupiers. No objections have been raised by the Council's Environmental Health team with regards to noise and disturbance.</p>
<b>Access, car parking and highway considerations</b>	<p>The proposals do not include facilities to increase the number of pupils (i.e. classrooms) and therefore will not result in any changes to the operation of the local highway, footway, and cycleway networks.</p> <p>The proposals do not include changes to the access arrangements and therefore will not affect the safety of the local highway network.</p> <p>The car parking and cycle parking provisions are to remain the same. The development is therefore acceptable in this regard.</p>
<b>Landscaping Issues</b>	The application form states that there would be no trees to be removed as part of the proposals. There are also no trees of significance in proximity of the development. Sufficient areas of soft landscaping would also be retained. The proposal is, therefore, considered acceptable in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005.
<b>Any other considerations</b>	<p><u>Conservation Area</u></p> <p>Whilst part of the wider site is within the Conservation Area, the application site falls outside of it. Given the nature of the proposals and their location amongst the existing school buildings, it is not considered that there would be an impact on the setting of the Conservation Area.</p> <p><u>Area of archaeological significance</u></p>

	The proposal would be built within an area of archaeological significance. Hertfordshire County Council have been consulted but not commented. However, under the previous application where the canopies are in a similar location, the Historic Environment Advisor raised no objection.
<b>Conclusion</b>	
Having regard to all of the above, the proposal is considered acceptable in regards to National and Local Planning Policies. The application is therefore recommended for approval.	

**Conditions:**

1. The proposal shall match the materials as per the supporting documentation unless otherwise agreed in writing by the Local Planning Authority. The development shall be implemented using the approved materials and subsequently, the approved materials shall not be changed.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policies D1 and D2 of the Welwyn Hatfield District Plan 2005 and the National Planning Policy Framework.

**DRAWING NUMBERS**

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

<b>Plan Number</b>	<b>Revision Number</b>	<b>Details</b>	<b>Received Date</b>
2235 03 0000		As Existing Location And Site Plan	24 April 2023
2235 03 0002		Proposed Location And Site Plan	24 April 2023
2235 03 0004		Canopy 1 Existing Elevations	24 April 2023
2235 03 0006		Canopy 1 Proposed Elevations	24 April 2023
2235 03 0005		Canopy 2 Existing Elevations	24 April 2023
2235 03 0007		Canopy 2 Proposed Elevations	24 April 2023
2235 03 0008		Canopy 3 As Existing & As Proposed Elevations	24 April 2023
2235 03 0010		Proposed Location And Site Plan Canopies 1, 2 & 3	27 April 2023

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 paragraph 38 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 or legal interest (easements or wayleaves) which may affect the land.
2. The granting of this permission does not convey or imply any consent to build upon or access from any land not within the ownership of the applicant.
3. In addition, and separate to your planning permission, for the majority of schemes, you are required by law to appoint a building regulator who will inspect your property at various stages during the course of your building project. This is to ensure it is compliant with the Building Regulations and the Building Act 1984.

The checks the building regulator will carry out include, but are not limited to, the structure, foundations, fire precautions and escape routes, electrical and plumbing compliance and other issues such as drainage and insulation. The objective of these checks is to ensure that your building is safe to live in, accessible and environmentally sustainable.

Once all build stages are checked and the works are finished, a Completion Certificate is issued confirming that these objectives have been met. You will also need the Completion Certificate, should you sell the property, as it will confirm to future owners that the work has been carried out in compliance with the Regulations.

As the owner of the property, you are responsible for Building Regulations compliance so we would urge you to decide which regulator to use, as opposed to leaving your builder or architect to make the choice. This is so that you can be sure the building regulator is truly independent and working to protect you from any breach or omission during the works.

Hertfordshire Building Control Limited are a Company wholly owned by eight local authorities in Hertfordshire including Welwyn Hatfield Borough Council. Please contact them on 01438 879990 or at [buildingcontrol@hertfordshirebc.co.uk](mailto:buildingcontrol@hertfordshirebc.co.uk) to discuss the process and all that is involved. Or alternatively refer to the Homeowner Information section on their website at [www.hertfordshirebc.co.uk](http://www.hertfordshirebc.co.uk)

### **Determined By:**

Ms Emily Stainer  
22 June 2023