

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

DELEGATED APPLICATION

Application No: 6/2023/1664/FULL
Location: Chancellors School Pine Grove Brookmans Park AL9 7BN
Proposal: Conversion of an existing un-used school gymnasium to create four new teaching class spaces and staff office/admin spaces over two floors together with a new school entrance/reception area
Officer: Ms Ashley Ransome
Recommendation: Granted

6/2023/1664/FULL

Context	
Site and Application description	<p>The application site is located within Chancellors School, Brookmans Park, to the south of the existing school buildings.</p> <p>Access to the site for vehicles and pedestrians is from Pine Grove – a local access road with no throughway. Pedestrian access is also available from Golf Club Road where pupils can enter school grounds and circumnavigate the playing field to access the main school site. On-site parking is available.</p> <p>Chancellors School is a mixed 11-18 year old secondary school (including sixth form). The Design and Access Statement (DAS) details that in 2017, Hertfordshire County Council (HCC) identified an increased demand for secondary spaces in the area. Given the lack of alternatives, the expansion of Chancellor’s was considered essential. Therefore, in the Spring Term of 2018 Chancellor’s school agreed to admit an additional 30 pupils to each year group from September 2019 onwards. The school now has a mixed intake of approximately 1270 students aged 11-18 years and by the end of the full expansion, it will have roughly 1292 on roll.</p> <p>The site is bounded to the north by the main school building and to its south by school playing fields. The school playing fields form part of the Potters Bar Parkland Landscape Character Area (PBPLCA). The undeveloped grassland to the western side of the application site is also included in the PBPLCA. Beyond the western boundary of the site on the opposite side of Golf Club Road is the main clubhouse and car park at Brookmans Park Golf Club. To the immediate east of the site is the residential street of Pine Grove.</p> <p>The application site is wholly within the Metropolitan Green Belt.</p> <p>This application seeks planning permission to convert the existing, single volume, double height gymnasium building to create a new school entrance and reception area, a central administration and staff office zone, together with four additional class spaces over two floors. These four additional class spaces are not to accommodate any future expansion of the school. They are to provide necessary teaching spaces to meet the demand of the agreed capacity of 1292 students.</p>

<p>Constraints (as defined within WHDP 2005)</p>	<p>GB - Greenbelt - Distance: 0 PAR - PARISH (NORTH MYMMS) - Distance: 0 Wards - Brookmans Park & Little Heath - Distance: 0 FM10 - Flood Zone Surface Water 100mm (2740613) - Distance: 0 FM00 - Flood Zone Surface Water 1000mm (7618764) - Distance: 0 HEN - No known habitat present (high priority for habitat creation) - Distance: 0 SAGB - Sand and Gravel Belt - Distance: 0</p>
<p>Relevant planning history</p>	<p>Application Number: E6/1954/1411/ Decision: No Information Decision Date: 31 December 1954 Proposal: Proposed school.</p> <p>Application Number: E6/1961/1077/ Decision: Granted Decision Date: 21 January 1962 Proposal: Site for secondary school.</p> <p>Application Number: E6/1961/1466/ Decision: Granted Decision Date: 05 February 1963 Proposal: Site for secondary school.</p> <p>Application Number: E6/1966/1834/ Decision: Granted Decision Date: 07 February 1967 Proposal: Library block</p> <p>Application Number: E6/1968/1844/ Decision: No Information Decision Date: 31 December 1968 Proposal: Additional land.</p> <p>Application Number: E6/1968/0111/ Decision: Granted Decision Date: 31 July 1969 Proposal: Science block and part of teaching block.</p> <p>Application Number: E6/1970/0927/ Decision: Granted Decision Date: 01 December 1970 Proposal: Additional land.</p> <p>Application Number: S6/1974/0742/ Decision: Granted Decision Date: 08 January 1975 Proposal: Two storey extension to changing rooms.</p> <p>Application Number: S6/1997/0038/FP Decision: Withdrawn Decision Date: 30 May 1997 Proposal: Demolition of existing gymnasium and erection of new performing art centre</p> <p>Application Number: S6/1997/0652/FP</p>

	<p>Decision: Granted Decision Date: 10 November 1997 Proposal: Extensions to provide new gymnasium, music/drama classrooms and associated storage and circulation space</p> <p>Application Number: S6/2004/1882/FP Decision: Granted Decision Date: 27 June 2005 Proposal: Erection of new I.C.T building</p> <p>Application Number: S6/2010/0017/PA Decision: Withdrawn Decision Date: 22 May 2014 Proposal: Proposed store</p> <p>Application Number: 6/2018/2178/FULL Decision: Withdrawn Decision Date: 12 October 2018 Proposal: Erection of building comprising a sports hall and 7no classrooms with associated facilities; 4no hard play sports pitches with perimeter fencing to replace existing; installation of 2no temporary mobile classrooms, and; provision of 33no parking spaces on existing hard play surface</p> <p>Application Number: 6/2019/0085/MAJ Decision: Granted Decision Date: 29 November 2019 Proposal: Erection of building comprising sports hall with associated changing facilities and 7 x classrooms built on existing hard play tennis courts; 4 x hard play sports pitches to be provided to replace existing; provision of 33 x parking spaces; and two mobile classrooms to be provided for the duration of the project</p> <p>Application Number: 6/2020/0830/FULL Decision: Granted Decision Date: 24 July 2020 Proposal: Formation of earth mounds and elevation of approved hard-play sports pitch</p> <p>Application Number: 6/2020/1065/VAR Decision: Withdrawn Decision Date: 12 August 2020 Proposal: Removal of condition 4 (details of mobile classrooms) and condition 5 (removal of classrooms) from planning permission 6/2019/0085/MAJ</p> <p>Application Number: 6/2020/1766/FULL Decision: Granted Decision Date: 14 August 2020 Proposal: Erection of building to accommodate new electric meter.</p> <p>Application Number: 6/2020/2581/FULL Decision: Granted Decision Date: 03 March 2020 Proposal: Laying of engineered surface for the provision of additional car parking and erection of fencing (Temporary period of three years).</p>
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	<p>Application Number: 6/2020/2617/FULL Decision: Granted Decision Date: 22 December 2020 Proposal: Erection of external canopy (to be used as dining space) and laying of hard surfacing to connect existing path to canopy</p> <p>Application Number: 6/2020/3398/LAWP Decision: Granted Decision Date: 02 March 2021 Proposal: Certificate of lawfulness for erection of fencing, gates and bollards to enclose parking area</p> <p>Application Number: 6/2021/0995/FULL Decision: Granted Decision Date: 25 May 2021 Proposal: Erection of external fire escape stair to teaching block and replacement curtain walling and insertion of new door to enable escape and stair access.</p> <p>Application Number: 6/2021/2363/FULL Decision: Granted Decision Date: 06 October 2021 Proposal: Erection of a new single storey outbuilding for use as new site office</p>		
Consultations			
Neighbour representations	Support: 1	Object: 7	Other: 2
Publicity	<p>Site Notice Display Date: 17 August 2023 Site Notice Expiry Date: 8 September 2023 Neighbour Letters</p>		
Summary of neighbour responses	<p>10 neighbour representations have been received, comprising seven in objection, one in support and two comments, as summarised below:</p> <ul style="list-style-type: none"> • The objections raised by some neighbours of the school stem from a TOTAL misinterpretation of the application. The school is REUTILISING the building, NOT EXPANDING the school. • The notification letter should have been sent to all the residents of Pine Grove, as they are likely to be affected by the application • The residents have endured years of disruption, inconvenience and pollution due to the expansion of the school and its failure to put in place adequate mitigation to alleviate the issues that this/previous expansion has caused the residents. Any further expansion will therefore worsen a situation which is already serious. • Inadequate transport planning has resulted in ever increasing traffic and parking on a residential cul-de-sac: at times it is impossible to leave or return home without a wait of over 15 to 20 minutes and current parking conditions put lives at risk. • Application # 6/20231/1664/FULL has been made covertly with no public consultation whatsoever. The disrespect by the Head of Chancellor's, the developer and WHBC to not hold a public consultation with Pine Grove residents after all the past promises from previous Chancellor's School expansion applications is astonishing. • The last expansion of Chancellors School attracted a record number of objections which were ignored by the WHBC Planning Committee and WHBC to resolve known and well documented risks. 		

	<ul style="list-style-type: none"> • Application 6/20231/1664/FULL should be rejected on the fundamental issue that another four classes will generate an additional 200-250 car journeys a day in Pine Grove and the surrounding areas. • It is unclear what carbon mitigation measures are in place for this application and the increase in car journeys by the thousands every week that will ensue. No Net Zero mitigation measures are in this application. • Collective failure by WHBC, the WHBC Planning Committee, Herts County Council and the Highways Agency to resolve the many year's ongoing issue of a Zero Traffic Management Plan in Pine Grove to meet the needs of Chancellor's School • We are seeing ad-hoc applications with no suggestion of a long term strategic plan nor the extent to which they want to expand the student population. I believe this is deliberate as the plan as a whole would undoubtedly be vetoed due to the nature and extent of the expansion of the school in a residential cul-de-sac which is already suffering from excess traffic, dangerous and inconsiderate parking and endangering the safety of both residents and those visiting the school. • Major concerns about the planned windows on the 1st floor of the old gymnasium, the east elevation. In the winter when trees in the neighbouring gardens have shed leaves a number of houses are overlooked, albeit at some distance but this is an invasion of privacy & will undoubtedly see an increase in noise pollution. • On first reading, the application is reasonable and even wise development to be using accommodation to the maximum, especially if it is space that is not being well used. However, with the growing numbers in the school, the gymnasium should be in use to improve health and wellbeing of students. • Do not find the assurance that the school will not expand further difficult to accept- it is not believable.
<p>Consultees and responses</p>	<p>North Mymms Parish Council – Concerned at the loss of this sports facility and the impact this will have on the wider community, not just the school. With increasing pupil numbers, the use of sports facilities is an important part of the curriculum. This is in the Green Belt. NMPC are also concerned about the piece-meal changes to this campus and recommend that a master plan be produced.</p> <p>WHBC Public Health and Protection – No issues to raise. Advise a condition for noisy works.</p> <p>Hertfordshire Transport Programmes & Strategy – Does not wish to restrict the grant of permission.</p> <p>Sport England – No response received.</p> <p>Welwyn Hatfield Borough Council Landscaping – No response received.</p>
<p>Relevant Policies</p>	
<p><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: R19, RA2, CLT7, CLT8, CLT9 and D8 of the District Plan.</p> <p><u>The Welwyn Hatfield Draft Local Plan Proposed Submission (August 2016) Incorporating The Proposed Main Modifications (January 2023) (Draft Local Plan):</u></p>	

SP1 Delivery Sustainable Development
SADM2 Highway Network and Safety
SP9 Place Making and High Quality Design
SADM11 Amenity and Layout
SADM12 Parking, Servicing and Refuse
SADM18
SADM34 Development in the Green Belt

Main Issues

Green Belt

The application site is washed over by the Metropolitan Green Belt as defined by Local Plan Policy GBSP1. 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 their permanence. The National Planning Policy Framework (NPPF), states, in paragraph 147 that, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 148 then states that substantial weight should be given to any harm in the Green Belt and that “very special circumstances” 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.

Appropriateness:

Paragraph 149 explains that construction of new buildings should be regarded as inappropriate in the Green Belt, except for listed exceptions. One relevant exception 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 (c).

Welwyn Hatfield District Plan 2005 (District Plan) Policy GBSP1 recognises the important role of the Green Belt in the district. District Plan Policy RA3, like the NPPF, allows for extensions in the Green Belt which would not result in a disproportionate increase in the size of the dwelling, either individually or when considered with existing or approved extensions to the original dwelling.

Emerging Policy SADM34 outlines the requirement of the proposed development to be proportionate the original size of the building in terms of bulk, scale, height and massing. Under Policy SADM34, consideration is given to the consistency of the proposal, in relation to the general pattern of development, character of the area and prominence within the landscape.

Permission for extensions to existing dwellings within the Green Belt will be allowed only where the proposal would not individually, or when considered with existing extensions to the original building, result in a disproportionate increase in size of the building. For the purpose of this application, a comparison must be made with the original building as it existed in 1948.

Whether an extension is disproportionate is ultimately a planning judgement of fact and degree, which demands that each proposal is considered in relation to the size and appearance of the original building. The proposed increase in volume, footprint and floor area are commonly used indicators, however, as well as mathematical calculations, the visual impact of the extension has to be considered.

Following a review of the planning history, the original school building has been substantially extended over the years. Having regard to the scale and location of existing extensions which have already taken place, it is considered that the original school buildings have already been disproportionately extended. Whilst relatively modest in size, the proposed extensions would contribute further to the significant increase in size to the original building. Cumulatively, with the floor space that has already been added, along with the development proposed within this application, it is considered that the proposal would represent disproportionate additions.

In view of the above, it is considered that the proposal would result in disproportionate additions over and above the size of the original building and therefore represents inappropriate development in the Green Belt. The proposed development is therefore contrary to the NPPF, Policies GBSP1 and RA3 of the Welwyn Hatfield District Plan 2005 and Policy SADM34 of the Welwyn Hatfield Draft Local Plan 2016.

Openness:

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 their permanence. It seeks to keep land free from built development and the curtilages of dwellings have a role to play in keeping land open.

There is no definition of openness in the NPPF but, in the context of the Green Belt, it is generally held to refer to freedom from, or the absence of, development. However, assessing the impact of a proposal on the openness of the Green Belt requires a judgment based on the circumstances of the case. Openness is capable of having both spatial and visual aspects - in other words, the visual impact of the proposal may be relevant. The duration of the development, specific characteristics of the proposal and its setting are also relevant in this case when making an assessment.

As a consequence of the size and scale of the proposed extensions, the loss of Green Belt openness in spatial terms would be minimal. The visual impact would also be limited given the use of sympathetic materials to the school buildings and close proximity to existing built form which is of a greater scale. The extensions would be read in the context of the existing school blocks. Having regard to these factors, it is considered that the proposed building would not result in a detrimental loss to Green Belt openness and the level of harm would be limited.

Design/ Character

Paragraph 126 of the NPPF clearly advises that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve and that good design is a key aspect of sustainable development. Paragraph 130 of the NPPF further advises that decisions should ensure developments will function well, be visually attractive, sympathetic to local character and establish a strong sense of place. Paragraph 134 is clear that “development that is not well designed should be refused, especially where it fails to reflect local design policies.”

Policy GBSP2 of the Welwyn Hatfield District Plan 2005 states that development within the specified settlements will be limited to that which is compatible with the maintenance and enhancement of their character. Policy D1 requires the standard of design in all new development to be of a high quality and Policy D2 requires all new development to respect and relate to the character and context of the area in which it is proposed.

The above objectives are broadly consistent with Policies SP1 and SP9 of the Council's Emerging Local Plan 2016. Policy SP9 states that proposal will be required to deliver high quality design and that creates coherent and attractive forms and elevations. Alterations to buildings must relate well to the character and proportions of the existing building and streetscene in terms of their siting, height, mass, scale, detailed design and materials.

Buildings within Chancellors School feature predominately flat roofs and range in height from single to three-storeys. The main theme of a number of the buildings are glazed curtain-walling with opaque panels using the schools traditional colours of blue, light and dark grey. Other buildings are clad in buff brick.

The proposal seeks to convert the existing, single volume, double height gymnasium building to create a new school entrance and reception area, a central administration and staff office zone, together with 4 additional class spaces over two floors.

The conversion is to incorporate a mezzanine floor internally so as to create a ground and first floor within the existing building. Each floor will be sub-divided into varying sized rooms to accommodate four classrooms, several offices, meeting rooms, staff kitchen, reception area and WC. The new reception area is proposed to the south-east corner of the building, using through colour render, and incorporating a canopied entrance approach. The proposal also enables an internal link with the existing main teaching block via a new enclosed entrance lobby. Numerous new window openings are to be made into the existing building to provide natural light into the building, with the existing west elevation to be 'opened up' with a large curtain walled window. Natural ventilation is proposed through cassettes above windows and roof mounted services. An array of photo voltaic panels will also feature on the existing flat roof.

Some of the existing landscaping to the east of the subject building is to be removed to make way for the proposed development which includes a new reception entrance and entrance canopy. Instead of completely losing the landscaping to this area of the site, new, alternative landscaping is proposed in the same location. The Landscape Officer has recommended that a condition is imposed upon any grant of permission because the current proposal lacks any detail with respect to the proposed landscaping.

The proposed alterations and extensions to the existing building makes reference to the design and appearance of other existing buildings on site but with a more modern, contemporary aesthetic. It is therefore considered that the design of the building adequately respects and relates to the existing buildings on site and the character and appearance of the surrounding area, in accordance with the National Planning Policy Framework; Policies D1, D2 and D8 of the Welwyn Hatfield District Plan 2005, Policies SP1 and SP9 of the Welwyn Hatfield Draft Local Plan and Supplementary Design Guidance 2005.

Neighbouring Amenity

10 neighbour representations have been received, comprising seven in objection, one in support and two comments. The neighbour representations that have been received are acknowledged and the comments have been addressed within the report.

The impact of the proposed development on the residential amenity of neighbouring dwellings is considered in terms of the impact on neighbouring properties access to day/sun/sky light, privacy, overbearing and overshadowing. Policy D1 of the District Plan seeks to provide a good standard of design in all new development. The Council's SPD on design supplements Policy D1 outlining that residential applications for extensions and alterations should not cause loss of light or be unduly dominant from adjoining properties, as a result of either the depth of the projection, the height or proximity of the extension.

Policy SADM11 of the Emerging Local Plan states that all proposal will be required to create and protect a good standard of amenity for buildings and external open space, in particular – ensuring satisfactory levels of sunlight and daylight, providing reasonable degree of privacy and preventing development from being overbearing upon existing buildings and open spaces.

The above policies are broadly consistent with the NPPF.

The nearest residential properties to the proposed development are located to the east at Pine Grove – the closest being number 61a. The proposed development would be sited approximately 70 metres from the boundary of number 61a. This separation distance would ensure that the proposed development would not be unduly dominant or result in any adverse loss of light. Likewise, the use and positioning of windows would not result in undue overlooking or loss of privacy to neighbouring properties, even in winter with limited tree cover, due to the distance.

In terms of noise, Policy R19 of the District Plan states that proposals will be refused if the development is likely to generate unacceptable noise or vibration for other land uses. Policy

SADM18 of the Emerging Local Plan outlines that very disruptive noise and/or vibration pollution will not be permitted and disruptive or intrusive effects will be weighed against the needs for, and benefits of, the development.

It is generally accepted that most forms of development will result in some noise, particularly during the construction phase. However, this is usually for a relatively short period of time which does not cause an unacceptable or long term impact on the living conditions of neighbouring occupiers. In this case, no comments have been received from neighbouring occupants with respect to the potential noise from construction, and due to the relatively small scale of the development, it is not considered to be appropriate or reasonable to restrict the hours of construction by imposing a planning condition. During the operational phase, the proposal would be very unlikely to create any detrimental adverse noise compared to the existing situation owing to the alteration of the existing gymnasium to additional classrooms and a reception area. No additional pupils are to be added to the school intake beyond that which has previously been agreed, so noise levels in this regard would not be altered.

It is considered that the size, scale, siting and design of the proposed development would have minimal impact on the residential amenity of the other surrounding neighbouring properties. The proposal is considered acceptable and is in accordance with Policies D1 and R19 of the Welwyn Hatfield District Plan, Policies SADM11 and SADM18 of the Welwyn Hatfield Draft Local Plan 2016, the Welwyn Hatfield Supplementary Design Guidance 2005 and the National Planning Policy Framework.

Highways and Parking Provision

The Highway Authority provided comment on the application, noting that Chancellors School is located on Pine Grove, an unclassified road, serving as a local access road function within the Hertfordshire Road hierarchy. Pine Grove is accessed via The Drive and Georges Wood Road. Both such roads, whilst being considered a highway, are privately maintainable. Pedestrian access to the school is via Pine Grove main entrance, or via Golf Club Road. Vehicular access (including provision for school coaches) and pedestrian access is provided from Pine Grove.

It is acknowledged that the submitted Design & Access Statement (DAS) states "These 4 additional class spaces are not to accommodate any future expansion of the school. They are to provide necessary teaching spaces to meet the demand of the agreed capacity of 1292 students." Within their comments, the Highway Authority note that the number of pupils will therefore remain as existing, and as such, the development would also not alter or change the access arrangements or existing parking provision within the site. In summary, it is considered that the proposals will not result in any significant highways implications. Therefore, the Highway Authority has no objection to the development proposals.

Whilst the proposal incorporates an increase in floor space, the Parking Standards SPG states a requirement to provide up to 1 space per full-time member of staff, plus 1 space per 100 pupils, plus 1 space per 8 pupils over 17 years old, plus 1 space per 20 pupils under 17 years old. The proposal would however not increase the number of pupils beyond the expansion capacity which has previously been agreed. The parking provision, parking arrangements and number of pupils remain as assessed through the planning permission granted under reference 6/2019/0085/MAJ and therefore no further consideration of the parking arrangements are required.

It is therefore considered that sufficient parking is provided at this site and is in accordance with Policy M14 of the Welwyn Hatfield District Plan, Policy SADM12 of the Welwyn Hatfield Draft Local Plan 2016 and the Welwyn Hatfield Supplementary Parking Guidance 2005.

Impact on sports provision and community use

Paragraph 99 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

The proposed development would see the conversion of one of two old gymnasiums to create four new teaching class spaces and staff office/admin spaces. Whilst it is acknowledged that this would represent a loss of a sports space, the submitted DAS states that the gymnasiums are “significantly undersized when compared to DFE Area guidance for Secondary Schools, with team sports not being possible as the spaces are not large enough for their delivery.”

Under application reference 6/2019/0085/MAJ, planning permission was approved for a new building on the school site, which comprised a sports hall with associated changing facilities and 7 classrooms. Upon visiting the site, it was clear that this newly approved building has already been constructed and appears to now be in use. The DAS states “following the construction of the new, compliant sized, sports hall, the existing gymnasium spaces are now effectively under used with one of the spaces almost redundant.”

It is therefore considered that the loss of one of the existing, underused gymnasiums would be offset by the new sport hall, together with the creation of a Multi-Use Games Area Design (MUGA) comprising 4 hard play pitches. The proposal is therefore considered acceptable in this regard.

New and extended education facilities

Policy CLT8 states that proposals for new or extended facilities for schools will be granted planning permission provided:

- (i) They are situated close to centres of population and passenger transport services;
- (ii) They provide opportunities for shared journeys, for example by school bus;
- (iii) They provide facilities for the secure storage of bicycles for students and staff;
- (iv) The proposal complies with the Council’s parking standards and there would be no adverse impact on the highway network including highway safety;
- (v) Provision is made for the safety of students whilst being dropped off or picked up;
- (vi) There would be no harmful impact on the amenity of nearby residential properties and other uses; and
- (vii) There would be no significant impact on the character of the area;

Taking account of the matters already discussed in this report, on balance, it is considered that the proposal would adequately accord with the aims and objectives of the above criteria, subject to the suggested planning conditions.

Whether there would be Very Special Circumstances

For the reasons discussed above, the proposal fails to meet the exceptions set out in paragraph 149 of the NPPF. The development proposal therefore represents inappropriate development in the Green Belt. Paragraph 147 of the NPPF outlines that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (VSC). Paragraph 148 outlines that ‘very special circumstances 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’.

In addition, to the harm by reason of inappropriateness, there would be harm due to a loss Green

Belt openness. In accordance with the NPPF, substantial weight is given to any harm to the Green Belt. Further harm in relation to the character and appearance of the area has also been identified. Accordingly planning permission cannot be granted unless the application demonstrates very special circumstances. This is a matter of planning judgement for the Council, based on relevant material planning considerations. However, the test is a stringent and demanding one. Very special circumstances requires a set of circumstances that are compelling and outside the norm. These must clearly outweigh the harmful effects of the development on the Green Belt, and any other harm resulting from the proposal.

It is accepted in case law that there is no prescribed list of what might constitute very special circumstances. It may be that a single aspect of a proposal may itself be a very special circumstance (VSC) sufficient to justify development or it may be that a number of circumstances may cumulatively amount to very special circumstances. As Lord Justice Pill said in *South Bucks District Council v Secretary of State for Transport, Local Government and the Regions* [2003] EWCA Civ 687, [2003] All ER (D) 250 (May): "It is of the essence of very special circumstances that the applicant establishing them is in a very special category." However, by their nature the existence of very special circumstances must relate to a particular site.

The proposed development would constitute extensions and alterations to the building that would cumulatively result in disproportionate additions over and above the size of the original building. As such, the proposal represents inappropriate development in the Green Belt and would result in a loss of Green Belt openness. In accordance with the NPPF, substantial weight is attached to this harm.

The supporting information submitted with this application explains that the gymnasiums, one of which forms the subject building of this application, are "significantly undersized when compared to DFE Area guidance for Secondary Schools, with team sports not being possible as the spaces are not large enough for their delivery." Additionally, with the increase in pupil numbers through the previously agreed expansion of the school as discussed above, appropriate sports hall provision has been provided through the grant of planning permission under reference 6/2019/0085/MAJ and it is therefore considered that the loss of one of the existing, underused gymnasiums would be offset by the new sport hall. The applicant therefore seeks to re-purpose the use of one of the existing gymnasiums to accommodate the previously agreed expansion and provide four additional classroom spaces, along with other ancillary rooms such as offices and meeting rooms, as well as a new entrance and reception area. The extensions proposed within this application are considered to be limited in size and scale, and would not appear visually intrusive due to their positioning, they would simply be ancillary to the proposed development within this application, with the overarching factor of providing the necessary increased space for the already expanded school.

It is therefore considered that the considerations above amount to Very Special Circumstances necessary to clearly outweigh the harm identified to the Green Belt by reason of inappropriateness and limited loss of Green Belt openness.

Conclusion

Subject to the suggested conditions, the proposed development would be in accordance with the relevant policies of the Welwyn Hatfield District Plan; the draft Local Plan; the Supplementary Design Guidance; and the National Planning Policy Framework.

Conditions:

1. The development must not be carried out other than in accordance with the details of external materials specified on the submitted application form and plans. Details of any alternative materials to be used in the construction of the external surfaces shall be submitted to and approved in writing by the Local Planning Authority prior to above ground development. 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 maintaining the character and visual amenity of the area, in accordance with the Welwyn Hatfield District Plan 2005; the draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework.

2. No development above ground level shall take place until full details on a suitably scaled plan of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

The landscaping details to be submitted shall include:

(a) existing trees, hedges or other soft features to be retained and a method statement showing tree protection measures to be implemented for the duration of the construction

(b) planting plans, including specifications of species, sizes, planting centres, number and percentage mix, and details of seeding or turfing

REASON: The landscaping of this site is required in the interest of maintaining the character and amenity of the area, to provide ecological, environmental and biodiversity benefits, and to mitigate the impacts of climate change in accordance with the Welwyn Hatfield District Plan 2005; the draft Local Plan Proposed Submission August 2016; and the National Planning Policy Framework

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
2253/00/000 1		Existing Plans	9 August 2023
2253/00/000 2		Existing Elevations	9 August 2023
2253/00/000 3		Proposed Ground Floor Plan	9 August 2023
2253/00/000 4		Proposed First Floor Plan	9 August 2023
2253/00/000 5		Proposed Elevations	9 August 2023
2253/00/000 0		Location Plans	9 August 2023
2253/00/000 6		Proposed Site Plan	9 August 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. Any damage to the grass verges caused by the development/works hereby approved is the responsibility of the applicant and must be re-instated to their original condition, within one month of the completion of the development/works. If damage to the verges are not repaired then the Council and/or Highway Authority will take appropriate enforcement action to remedy any harm caused.
4. 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 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

Determined By:

Mr Mark Peacock
5 October 2023