



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

DELEGATED APPLICATION

Application No: 6/2019/0585/FULL
Location: Stanborough School Lemsford Lane Welwyn Garden City AL8 6YR
Proposal: Erection of new teaching block, replacement tarmac play areas and additional parking provision
Officer: Ms Louise Sahlke

Recommendation: Granted

6/2019/0585/FULL

Context	
Site and Application description	<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 split to the north west and south east of the school site. The north west site is currently an area of tarmac courts surrounded by fencing. This area is poorly maintained and used for hard informal recreation and overflow car parking. The south east site is partly located on existing hardstanding netball courts and overflow car parking and partly located on general landscaping area (grass).</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>Planning Permission has already been granted for materially the same form of development proposed within this application as part of permission 6/2018/1956/FULL.</p> <p>The way in which this application differs from that approved under planning permission 6/2018/1956/FULL is as follows:</p> <ul style="list-style-type: none"> • The submission of an Unilateral Undertaking (UU); • Additional information submitted for Archaeology to overcome need for prior approval condition.

<p>Constraints (as defined within WHDP 2005)</p>	<p>AAS - Area of Archaeological Significance : - Distance: 0 GB - Greenbelt - Distance: 0 LCA - Landscape Character Area (Welwyn Fringes) - Distance: 0 ROW - FOOTPATH (WELWYN GARDEN CITY 004A) - Distance: 27.67 UOL - Urban Open Land (Proposal map 2) - Distance: 0 Wards - Handside - Distance: 0 HEN - No known habitats present (high priority for habitat creation) - Distance: 0 HEN - Existing habitat not currently qualifying under S41 NERC Act - Distance: 0 SAGB - Sand and Gravel Belt - Distance: 0</p>		
<p>Relevant planning history</p>	<p>Application Number: 6/2018/3254/COND Decision: Granted Decision Date: 14 February 2019 Proposal: Submission of details pursuant to condition 3 (Archaeological Written Scheme of Investigation) on planning permission 6/2017/2972/FULL</p> <p>Application Number: 6/2018/1956/FULL Decision: Granted Decision Date: 04 February 2019 Proposal: Erection of new teaching block, replacement tarmac play areas and additional parking provision</p> <p>Application Number: 6/2017/2972/FULL Decision: Granted Decision Date: 22 February 2018 Proposal: Erection of a single storey music/drama block and subsequent demolition of existing music and drama accommodation</p>		
<p>Consultations</p>			
<p>Neighbour representations</p>	<p>Support: 0</p>	<p>Object: 0</p>	<p>Other: 0</p>
<p>Publicity</p>	<p>Site Notice Display Date: 13 March 2019 Site Notice Expiry Date: 3 April 2019 Press Advert Display Date: 20 March 2019 Press Advert Expiry Date: 3 April 2019</p>		
<p>Consultees and responses</p>	<p><u>Hertfordshire County Council - Historic Environment Advisor</u>- No objection subject to condition. I note that an archaeological WSI for a previous planning proposal has been submitted with this planning application. Nevertheless we still recommend that the aforementioned archaeological conditions are attached to any consent. <u>Hertfordshire County Council - Rights of Way North</u> – Comments made. <u>Hertfordshire County Council - Hertfordshire Transport Programmes & Strategy</u>- No objection subject to conditions, informatives and payment of financial contribution of £36,000 towards the cost of improving facilities for bus users to include the provision of real time passenger information at stops local to the site, as well as provision of Kassel kerbing to enable access for persons with mobility impairment. <u>Welwyn Hatfield Borough Council - Landscapes Department</u> – No objection subject to condition. <u>Welwyn Hatfield Borough Council - Community Partnerships Manager</u>- No comments received.</p>		

	<p><u>HCC - Rights of Way (South)</u> – No comments received. <u>Hertfordshire County Council - Spatial Planning & Economy Team</u>- No comments received. <u>The Ramblers' Association</u> – No comments received. <u>Joint Committee of the National Amenity Societies</u> – No comments received. <u>Hertfordshire County Council - HCC Growth Team</u>- No financial contributions required. <u>Welwyn Hatfield Borough Council - Parking Services</u>- No comments received.</p>
Relevant Policies	
<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 R3 Energy Efficiency R10 Water Conservation Measures R11 Biodiversity and Development R17 Trees, Wood and Hedgerow R19 Noise and Vibration R29 Archaeology M5 Pedestrian Facilities M6 Cycle Routes and Facilities D7 Safety by Design D8 Landscaping D9 Access and Design for People with Disabilities OS1 Urban Open Land CLT8 New and Extended Education Facilities <u>Draft Local Plan Proposed Submission 2016</u> 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	
Principle of Development	
The principle of this development has already been found to be acceptable within 6/2018/1956/FULL and it is not judged that the proposed amendments to the scheme would materially change this decision. Furthermore, as material policies in this area have not changed since the time of the original decision, it is considered that it would be unreasonable to come to a different conclusion on this matter within this application.	
Is the development within a conservation area?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

<p>The application sites are not located within the Conservation Area. However the part of the wider site is within the Conservation Area.</p> <p>The proposed extended car parking area bounds the Conservation Area and therefore would be located within the setting of the Conservation Area. The extended car parking area is hardstanding only. Due to the minor nature of these works, it is not considered that there would be an impact on the setting of the Conservation Area. Therefore it is not considered that an assessment is required.</p>
<p>Would the significance of the designated heritage asset be preserved or enhanced?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>Comment (if applicable):</p>
<p>Would the development reflect the character of the area?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Comment (if applicable): Subject to the same condition being imposed on this application as that previously approved, it is considered that the development is acceptable.</p>
<p>Would the development reflect the character of the site?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Comment (if applicable): Material considerations are the same as those within the application already approved with the result that it is considered reasonable and appropriate to come to the same conclusion within this application.</p>
<p>Would the development maintain the amenity of adjoining occupiers? (e.g. privacy, outlook, light etc.)</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Comment (if applicable):</p>
<p>Would the development provide / retain sufficient parking?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p> <p>Comment (if applicable): Material considerations are the same as those within the application already approved with the result that, subject to the same conditions being imposed, it is considered reasonable and appropriate to come to the same conclusion within this application.</p>
<p>Any other issues</p> <p><i>Highways</i></p> <p>As the applicant has sought to address the requirement for condition (4) through the use of a planning obligation it is necessary to consider how this change would impact the proposed development. As part of this application the Highways Authority were consulted and they have raised no objection to the use of the proposed planning obligation replacing the requirement for the previously imposed condition (4).</p> <p>A unilateral undertaking has been agreed to ensure that a scheme for the improvement of stops locally (to provide Kassel kerb and real time passenger information).</p> <p>Further to the above, it is judged that this proposed amendment to the scheme which has already been approved within 6/2018/1956/FULL would be acceptable, subject to the highways conditions which have not been affected by the proposed planning obligation being re-imposed on any permission.</p> <p><i>Trees</i></p> <p>Material considerations are the same as those within the application already approved with the result that, subject to the same condition being imposed, it is considered reasonable and appropriate to come to the same conclusion within this application.</p>

Archaeology

Since permission 6/2018/1956/FULL was granted the applicant has submitted and had approved a 'Written Scheme of Investigation' (WSI) through 6/2018/3254/COND. As part of this application a subsequent Archaeological Evaluation Report, including submitted drawing 2155/04/0104A were also submitted in light of discussions with the Historic Environment Advisor.

As a consequence of the above, it is judged that the first part of condition 1 of permission 6/2018/1956/FULL has been complied with and that it would be reasonable and appropriate to amend this condition within any approval which to take account of the fact that the WSI has already been approved. Subject to this amended condition being imposed there are no objections to the proposal on archaeological grounds.

Contamination

Material considerations are the same as those within the application already approved with the result that, subject to the same condition being imposed, it is considered reasonable and appropriate to come to the same conclusion within this application.

Rights of Way

As the rights of way sit outside the boundary of the application site, it is considered that it would be unreasonable to request that the right of way is protected by way of condition. Therefore an informative has been added instead.

Conclusion

Subject to conditions, the proposal is considered acceptable in regards to National and Local Planning Policies.

Conditions:

PRIOR TO COMMENCEMENT

1. Notwithstanding the submitted information, no development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - (a) the parking of vehicles, of site operatives and visitors during each stage of the building project
 - (b) loading and unloading of plant and materials during each stage of the building project
 - (c) storage of plant and materials used in constructing the development
 - (d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - (e) siting and details of wheel washing facilities
 - (f) measures to control the emission of dust and dirt during construction

(g) a scheme for recycling/disposing of waste resulting from demolition and construction works.

h) construction vehicle numbers and type;

i) Construction access arrangements;

j) Cleaning of site entrances, site tracks and the adjacent public highway;

k) Timing of construction activities to avoid school pick up/drop off times.

REASON: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with the National Planning Policy Framework 2019 and Policy D1 of the Welwyn Hatfield District Plan 2005.

POST DEVELOPMENT COMMENCING

2. (A) Development must be undertaken fully in accordance with a project design that includes an annotated site plan, based on the The Heritage Network Archaeological Written Scheme of Investigation ref: HN1456Rev.A dated November 2018 and subsequent Archaeological Evaluation report ref: 1176 dated July 2019.

(B) With reference to the submitted drawing 2155/04/0104A, no development within Section 2 shall commence until additional site investigations have been undertaken in accordance with the recommendations made in the Archaeological Evaluation report above and the results submitted to the Local Planning Authority.

(C) The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scene of Investigation approved under (A) and the provision made for analysis and publication where appropriate.

Please note that the above wording is proposed on the understanding that Section 2 (submitted drawing 2155/04/0104A) includes the site of the Music and Drama Block and the area of archaeological evaluation trench 7, as per the advice provided by my colleague Dr Simon Wood (referred to in Mr Brown's e-mail of 28/8/19).

Reason: to protect the impact on heritage assets with archaeological interest in accordance with the National Planning Policy Framework 2019 and Policy R29 of the Local Plan 2005.

3. No development above ground level in any phase of the development shall take place until samples of the materials to be used in the construction of the external surfaces (including PV on the roof of the building) hereby granted have been submitted to and approved 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 the National Planning Policy Framework 2019 and Policies D1 and D2 of the Welwyn Hatfield District Plan 2005.

4. Prior to the first occupation of the development hereby permitted the proposed onsite car parking shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking /manoeuvring area, in the interests of highway safety in accordance with the National Planning Policy Framework 2019 and Policy D1 of the District Plan 2005.

5. Prior to the first occupation of the development a revised scheme for the number and parking of cycles has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before the development is first occupied or brought into use and thereafter retained for this purpose.

Reason: To ensure the provision of adequate cycle parking that meets the needs of the school and in the interests of encouraging the use of sustainable modes of transport in accordance with the National Planning Policy Framework 2019 and Policy D1 of the District Plan 2005.

6. Three months prior to the first use of the school development, the School shall join the Modeshift STARS Accreditation Framework and, with the support of Hertfordshire County Council officers, shall undertake best practicable endeavours to promote and increase levels of sustainable and active travel in order to improve the health and wellbeing of children and young people, as well as reduce local highway impacts arising from pick up / drop off. Such endeavours shall include annual hands-up surveys of the travel behaviour of pupils (80% response rate) and staff (50% response rate) using whichever travel plan framework that Hertfordshire County Council currently promotes. The travel plan will be up-dated annually for the lifetime of the school and will include objectives, targets, planned and completed initiatives. Within the first year, this should include full details of a formal pickup/drop point within the school grounds. The role of Travel Plan Champion shall be created and the responsibility for adhering to the above travel plan requirements shall sit within that role.

REASON: To ensure that the proposal does not result in a detrimental impact on the safe and efficient operation of the highway in accordance with the National Planning Policy Framework 2019.

7. (a) No retained tree or shrub shall be cut down, uprooted or destroyed, nor shall any retained tree or shrub be pruned other than in accordance with the approved plans and particulars. Any topping or lopping approved shall be carried out in accordance with British Standard 3998:2010 (Tree Work).

(b) If any retained tree or shrub is removed, uprooted or destroyed or dies, another tree or shrub shall be planted at the same place and that tree or shrub shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) The erection of fencing for the protection of any retained tree shrub or hedge shall be undertaken in accordance with details to be approved in writing by the Local Planning Authority to comply with the recommendation of British Standard 5837:2012 before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment,

machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority. No fires shall be lit within 20 metres of the retained trees and shrubs.

In this condition, retained tree or shrub, means an existing tree or shrub, as the case may be, which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of [five years] from [the date of the occupation of the building for its permitted use].

REASON: To protect the existing trees, shrubs and hedgerows in the interest of visual amenity in accordance with Policy D8 of the Welwyn Hatfield District Plan 2005.

8. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site. Before development recommences on the part of the site where contamination is present a scheme outlining appropriate measures to prevent the pollution of the water environment, to safeguard the health of intended site users, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation and approved conclusions shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall not be implemented otherwise than in accordance with the approved remediation scheme.

Reason: To ensure that the potential contamination of this site is properly investigated and its implication for the development approved fully taken into account. In accordance with the National Planning Policy Framework 2019 and Policy R19 of the District Plan 2005.

DRAWING NUMBERS

9. 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
2155 03 0110	A	Proposed Teaching Block Ground Floor Plan	8 March 2019
2155 03 0101	A	Teaching Block Site Layout	8 March 2019
2155 03 0100		Proposed Site Plan	8 March 2019
2142 03 0004		Existing Buildings Site Elevations	8 March 2019
2155 03 0003		Existing & Proposed Layout - Car park Site	8 March 2019

2155 03 0002		Existing Layout Teaching Block Site	8 March 2019
2155 03 0001		Site Location Plan	8 March 2019
2142 03 0122		Teaching Block Sections	8 March 2019
2142 03 0121	A	Teaching Block Elevations 2	8 March 2019
2142 03 0120	A	Teaching Block Elevations	8 March 2019
2155 03 0113		Proposed Teaching Roof Plan	8 March 2019
2155 03 0111	A	Proposed Teaching Block First Floor Plan	8 March 2019

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 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. The applicant is advised to take account the provisions of The Party Wall Act 1996 insofar as the carrying out of development affecting or in close proximity to a shared boundary.
4. 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.
5. Storage of materials: The applicant is advised that the storage of materials

associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.

6. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
7. It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertsdirect.org/services/transtreets/highways/> or by telephoning 0300 1234047.
8. Modeshift STARS is the national schools awards scheme that has been established to recognise schools that have demonstrated excellence in supporting cycling, walking and other forms of sustainable travel. The scheme encourages schools across Hertfordshire (and Country) to join in a major effort to increase levels of sustainable and active travel in order to improve the health and well-being of children and young people. Every school in England (outside of London) can participate in Modeshift STARS for free. On completion of an application for Modeshift STARS, schools will automatically have a brand new national standard School Travel Plan. To register for Modeshift Stars, visit <https://www.modeshiftstars.org/contact>. Support is available to schools in Hertfordshire from Hertfordshire County Council's Active & Safer Travel Team by contacting activeandsafertravel@hertfordshire.gov.uk
9. The use of the existing tennis courts for car parking does not have planning permission. Therefore it is recommended that a planning application or certificate of lawfulness (existing use) is submitted as part of any planning application submitted.
10. No floodlights shall be erected on the proposed application sites without the express planning permission of the Local Planning Authority.
11. The public right of ways surrounding the application site should not be adversely affected or altered in any way.

The Public Right of Way should remain unobstructed by vehicles, machinery, materials, tools and any other aspects of the construction during works

The safety of the public using the route and any other routes to be used by construction traffic should be a paramount concern during works, safe passage

past the site should be maintained at all times.

The condition of the route should not deteriorate as a result of these works. An adverse effects to the surface from traffic, machinery or materials (especially overflows of cement & concrete) to be made good by the applicant to the satisfaction of this Authority.

All materials to be removed at the end of the construction and not left on the Highway or Highway verges.

Determined By:

Mr Colin Haigh
29 October 2019