

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

DELEGATED APPLICATION

Application No: 6/2020/2581/FULL
Location: Chancellors School Pine Grove Hatfield AL9 7BN
Proposal: Laying of engineered surface for the provision of additional car parking and erection of fencing (Temporary period of three years).
Officer: Mr David Elmore

Recommendation: Granted

6/2020/2581/FULL

| Context | |
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| Site and Application description | <p>The application site comprises an informal car parking area and part of a playing field at Chancellors School.</p> <p>Planning permission is sought for the laying of an engineered grassed surface beyond the south-western end of the turning area to be used for a temporary period of three years for additional car parking. This surface is called 'Bodpave85' and comprises interlocking porous plastic paving which in this case would be installed with a grass filled surface.</p> <p>Also included in the proposal is the erection of 1.8 metre high twin wire plastic coated fencing to delineate the car parking area from the adjacent playing fields of the school to the south and siting six drop off bays in a tandem arrangement to the northern side of the bus turning area.</p> |
| Constraints (as defined within WHDP 2005) | <p>GB - Greenbelt - Distance: 0 LCA - Landscape Character Area (Potters Bar Parkland) - Distance: 0 PAR - PARISH (NORTH MYMMS) - Distance: 0 Wards - Brookmans Park & Little Heath - Distance: 0 FM00 - Flood Zone Surface Water 1000mm (7618764) - Distance: 0 FM00 - Flood Zone Surface Water 1000mm (7618774) - Distance: 0 FM00 - Flood Zone Surface Water 1000mm (7618824) - Distance: 0 HEN - No known habitats present (high priority for habitat creation) - Distance: 0 SAGB - Sand and Gravel Belt - Distance: 0</p> |
| Relevant planning history | <p>Application Number: 6/2020/3398/LAWP Decision: Pending Proposal: Certificate of lawfulness for erection of fencing, gates and bollards to enclose parking area</p> <p>Application Number: 6/2020/1766/FULL Decision: Granted Decision Date: 14 September 2020 Proposal: Erection of building to accommodate new electric meter.</p> <p>Application Number: 6/2020/1766/FULL Decision: Granted Decision Date: 14 September 2020</p> |

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| | <p>Proposal: Erection of building to accommodate new electric meter.</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: S6/2004/1882/FP Decision: Granted Decision Date: 27 June 2005 Proposal: Erection of new I.C.T building</p> <p>Application Number: S6/2001/0981/FP Decision: Granted Decision Date: 24 September 2001 Proposal: Erection of new main entrance and reception area to existing school</p> <p>Application Number: S6/1997/0652/FP 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: S6/1995/0205/FP Decision: Granted Decision Date: 11 May 1995 Proposal: Erection of single storey building to provide four new classrooms. (Revision of permission S6/0786/94)</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: E6/1972/5431/ Decision: Granted Decision Date: 13 March 1973 Proposal: Addition to refectory and new teaching accommodation.</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: E6/1966/1834/ Decision: Granted Decision Date: 07 February 1967 Proposal: Library block</p> <p>Application Number: E6/1961/1466/</p> |
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| | Decision: Granted Decision Date: 05 February 1963 Proposal: Site for secondary school. | | |
| Consultations | | | |
| Neighbour representations | Support: 0 | Object: 0 | Other: 1 |
| Publicity | Site Notice Display Date: 15 October 2020 Site Notice Expiry Date: 5 November 2020 Neighbour letters | | |
| Summary of neighbour responses | <p>Comment from 69 Pine Grove summarised as follows:</p> <ul style="list-style-type: none"> - The nature of the use of the approach road to the school is not clear as to whether it is open to merely school staff or whether it is for pupils to park as at present. - Parents are also supposed to have access to the turning circle and drop-off point. This seems excessive. What happens after 3 years? - More erosion of the playing field within the Green Belt - By increasing car parking overall this is not likely to motivate a reduction in car usage | | |
| Consultees and responses | <p>North Mymms Parish Council – Comment summarised as follows:</p> <ul style="list-style-type: none"> - Support as a temporary measure but must insist that reinstatement occurs fully when Application 6/2020/0085/MAJ car parking is in place. - Impact on Green Belt openness in the long term - Request that the school improve the drive in/drop off/drive out for parents to prevent parking in Pine Grove and this should be monitored everyday by school staff to ensure compliance. - The Application form is incorrect at Item 9 because the number of new car spaces is listed as 63. It is 39 new car parking spaces on the grasscrete so the difference is 39 making a total of 102. <p>Hertfordshire County Council - Hertfordshire Transport Programmes & Strategy: No objection</p> <p>Sport England – No objection</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: Policy OS2 of the District Plan | | | |
| Main Issues | | | |
| Would the development reflect the character of the area? | | | |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | | |
| Would the development reflect the character of the school buildings? | | | |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | | |
| Would the development maintain the amenity of adjoining occupiers? (e.g. privacy, outlook, light etc.) | | | |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | | |
| Would the development provide / retain sufficient parking? | | | |

Yes No

Other considerations

Impact on playing fields

The proposed car parking area would extend onto the school's playing field. Policy OS2 of the District Plan states that the Council will seek to maintain its current level of playing pitch provision. Proposals involving the loss of any playing pitches will not be granted planning permission unless it can be clearly demonstrated that:

- i. The land does not meet the criteria set out for its designation as an area of Urban Open Land; or
- ii. There is no longer a current demand for such a facility or any real prospect of a demand arising within a realistic timescale; or
- iii. An alternative facility will be made available of equal or higher standard than the original. Any alternative provision must be made available before the commencement of development which involves the loss of the playing pitches and must be located in an appropriate location.

Paragraph 97 of the NPPF outlines that 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.

Sport England have been consulted for this application and consider that the proposed development would only affect land incapable of forming, or forming part of, a playing pitch, and would not result in the loss of, or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area of any playing pitch or the loss of any other sporting/ancillary facility on the site. No objection is raised.

Taking account of the above, it is considered that the proposal would not conflict with the above policies.

Impact on highway

The Highway Authority have been consulted for this application. Following comments from the Highway Authority, it has been necessary to reduce the number of car parking spaces with the proposed parking area to ensure that vehicles can effectively manoeuvre in and out of spaces and exit in a forward gear. This has been reflected in the revised site plan.

A planning condition can ensure that the car parking spaces are laid out and demarcated in accordance with the proposed site plan.

Green Belt

Car parking area

The proposed car parking surface would constitute an engineering operation. Paragraph 146 of the NPPF outlines that engineering operations are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.

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, degree of activity, the specific characteristics of the proposal and its setting are also relevant in this case when making an assessment.

Paragraph 134 of the NPPF states that the Green Belt serves five purposes:

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

The proposed surface would replace and extend beyond an existing area of hardstanding. This existing area of hardstanding has a width of 12 metres and length of 18.3 metres and is used informally as staff parking for up to eight cars.

The proposed surface would have an approximate width of 16 metres and approximate length of 38.3 metres and accommodate 22 car parking space.

The proposed area for car parking would be considerably larger than the one it would replace. Having regard to its location, footprint and notable increase in available area for car parking, it is considered that the proposed engineered surface would fail to preserve the openness of this part of the Green Belt.

In terms of the Green Belt purposes, considering the scale and location of the proposed area for car parking, there would be no conflict in this respect.

Fencing

The proposed fencing constitutes a building in planning terms.

Paragraph 145 of the NPPF outlines that a local planning authority should regard the construction of new building as inappropriate development in the Green Belt, apart from a limited number of exceptions. One of these exceptions (relevant in this case given the close association of the fencing to schools buildings) 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.

The Council's Development Plan, nor the NPPF, do not provide any detailed guidance on how to determine whether an extension is disproportionate. This is, therefore, 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.

The original school has been significantly extended from original and the proposed fencing would, by its nature, add additional built development. Notwithstanding this, the fencing would not add any perceivable volume or footprint to the buildings and its design would allow view through. It is also a

salient point that the proposed fencing may be developed under permitted development given the additional provisions for means of enclosure afforded to schools. Taking account of all of these factors, it is considered that the proposed fencing would not amount to disproportionate additions over and above the size of the original building. This aspect of the proposal is therefore deemed to be appropriate development in the Green Belt.

Whether very special circumstances exist?

It has been identified that the proposed car parking area would represent inappropriate development in the Green Belt. In accordance with the NPPF, substantial weight is given to this harm.

Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 goes on to say that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

The submitted Design & Access Statement explains why the additional car parking provisions is required on a temporary basis and is summarised as follows:

- The school is still in short supply of car parking on their site and often the overspill are forced to park on the roads in front of nearby properties causing tension with the local residents.
- The recent planning permission for expansion of the school (application number: 6/2019/0085/MAJ) was subject to a legal agreement requiring a school travel plan to be implemented upon completion. The development is not complete and the 33 space car park approved under this application is not yet available.
- Lack of car parking has also resulted in staff parking along the access road and this causes problems with the flow of traffic and reduces the pedestrian path way.
- A real and heightened pressure on parking arising from the current Covid-19 pandemic. Additional car journeys and therefore parking requirements are increased due to the current Covid measures and staff/parents/students not using public transport or car sharing opportunities. The new additional car parking spaces are now urgently required to compensate for this situation and help alleviate any further issues with car parking in and around Brookmans Park and Pine Grove.

Having regard to the above, it is considered that there are clear merits for the provision of additional on-site car parking on a temporary basis.

The Travel Plan approved under planning permission 6/2019/0085/MAJ identifies a 5% target shift from single occupancy car use to multi-occupancy car use for both pupils and staff. Further targets are centred on parents including increasing their awareness of sustainable transport to and from the school as viable options and making 90% of parents aware of the School Travel Plan and its objectives.

Key actions to achieve the targets set out in the School Travel Plan include:

- Maintaining a minimum of Bronze Modeshift STARs (Sustainable Travel Accreditation and Recognition for Schools) accreditation and move

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| | <p>toward Silver/Gold accreditation;</p> <ul style="list-style-type: none"> - Active promotion of car sharing; - Progress reporting on an annual basis including repeat 'hands up' staff and parent surveys; - Monitoring survey within one month of the anniversary of the previous year's survey i.e. in each survey year; and - Complete review and updating of the School Travel Plan every three years as a minimum. <p>It is acknowledged that the school expansion is still underway and until occupation, the Travel Plan is not required to be implemented. A Travel Plan is also a working document and it is understood that the targets identified will take time to be realised and met.</p> <p>Furthermore, it is known to the local planning authority that at drop-off and pick-up times there is significant overspill parking onto Pine Grove and this has likely been exacerbated by the ongoing coronavirus pandemic.</p> <p>A temporary planning permission for the development for a period of three years is considered reasonable to allow for completion of the school's expansion and for potential marked benefits in terms of sustainable travel to be realised through the approved school Travel Plan. These considerations, in combination, weigh substantially in favour of the proposal and would amount to very special circumstances to justify the development for the temporary period.</p> <p>A planning condition can ensure that the land is reinstated to its former condition following expiry of the permission.</p> |
| Conclusion | |
| While the proposed temporary car parking area would represent inappropriate development in the Green Belt, it is considered that very special circumstances exist to justify the development. | |

Conditions:

1. This permission is for a limited period only expiring on 1st March 2024. The operational development hereby permitted shall be removed, the use hereby permitted shall be discontinued, and the land fully restored to its former condition on or before that date, unless planning permission is granted on an application made to the Local Planning Authority.

REASON: To restrict the car parking area to that which was applied for. Very special circumstances have also been necessary to justify this aspect of the development in the Green Belt.

2. Prior to first use of the temporary car parking area hereby approved, its car parking spaces must be laid out and demarcated in accordance with submitted drawing number 2154 5 00 0107 Revision G and be retained in perpetuity with the permission.

REASON: To ensure cars and suitably turn with the car parking area and exit in forward gear in the interest of highway safety and in accordance with the National Planning Policy Framework.

DRAWING NUMBERS

- 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 |
|--------------------|------------------------|-------------------------------------|----------------------|
| 2154 5 00 0004 | A | Location Plan and Site Plan | 3 March 2021 |
| 2154 5 00 0107 | G | Proposed Site Plan and Elevation | 25 February 2021 |
| 2154 5 00 0108 | | Existing Site Plan and Elevation | 8 October 2020 |
| 401 | A | Car Parking Surface Details | 1 March 2021 |

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:

- 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.

Determined By:

Mr Mark Peacock
3 March 2021