

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

**DELEGATED APPLICATION**

**Application No:** 6/2020/2617/FULL  
**Location:** Chancellors School Pine Grove Brookmans Park Hatfield AL9 7BN  
**Proposal:** Erection of external canopy (to be used as dining space) and laying of hard surfacing to connect existing path to canopy  
**Officer:** Mr David Elmore

**Recommendation:** Granted

6/2020/2617/FULL

<b>Context</b>	
<b>Site and Application description</b>	<p>Planning permission is sought for the erection of an external canopy (to be used as dining space) and laying of hard surfacing to connect existing path to canopy at Chancellors School.</p> <p>The building would be located to the north-eastern side of the site on an informal area of grass adjacent to two large teaching blocks. It would be a single storey steel framed barrel vault structure with a curved roof. The walls would be faced in transparent cladding and the roof would be covered in a translucent tension fabric.</p>
<b>Constraints (as defined within WHDP 2005)</b>	<p>GB - Greenbelt - Distance: 0</p> <p>PAR - PARISH (NORTH MYMMS) - Distance: 0</p> <p>ROW - FOOTPATH (NORTH MYMMS 068) - Distance: 5.91</p> <p>Wards - Brookmans Park &amp; Little Heath - 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>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: 6/2019/0085/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</p>

	<p>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/          Decision: Granted          Decision Date: 05 February 1963          Proposal: Site for secondary school.</p>		
<b>Consultations</b>			
<b>Neighbour representations</b>	Support: 0	Object: 0	Other: 0
<b>Publicity</b>	<p>Site Notice Display Date: 16 November 2020</p> <p>Site Notice Expiry Date: 7 December 2020</p> <p>Neighbour letters sent</p>		

<b>Summary of neighbour responses</b>	No representations received
<b>Consultees and responses</b>	North Mymms Parish Council - No comment.
<b>Relevant Policies</b>	
<input checked="" type="checkbox"/> NPPF <input checked="" type="checkbox"/> D1 <input checked="" type="checkbox"/> D2 <input checked="" type="checkbox"/> GBSP1 <input type="checkbox"/> GBSP2 <input type="checkbox"/> M14 <input type="checkbox"/> Supplementary Design Guidance <input type="checkbox"/> Supplementary Parking Guidance <input type="checkbox"/> Interim Policy for car parking and garage sizes	
<b>Main Issues</b>	
<b>Would the development reflect the character of the area?</b>	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Would the development maintain the amenity of adjoining occupiers?</b> (e.g. privacy, outlook, light etc.)	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>Other considerations</b>	<p><u>Green Belt</u></p> <p>The site lies within the Metropolitan Green Belt.</p> <p><i>Appropriateness of building</i></p> <p>Paragraph 145 of the NPPF outlines that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, apart from a limited number of exceptions. One of these exceptions (relevant in this case – as explained below) 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.</p> <p>Although the proposed building would not be attached to a building, it would be close to and intimately associated with the other school buildings. As such, it is considered that it should be treated as an extension for the purposes of the NPPF.</p> <p>The original school building has been substantially extended over the years and a recent planning permission for a new sports hall and classrooms is currently being built out. Having regard to the scale and location of existing extensions which have already taken place and that currently being constructed, it is considered that the original school buildings have already been disproportionately extended.</p> <p>The proposed building would be a single storey structure with a footprint of 220sqm. Its size would represent a disproportionate addition over and above the size of the original building and therefore amount to inappropriate development in the Green Belt.</p> <p><i>Openness</i></p> <p>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.</p> <p>As a consequence of the footprint, height and massing of the building, there would be a loss of Green Belt openness in spatial terms. Visual impact however would be limited given the use of sympathetic materials to the school</p>

buildings, high level of transparent materials for the walls and close proximity to existing built form which is a of greater scale. The building would be read in the context of the existing school blocks. Having regard to these factors, it is considered that the proposed building would result in a loss of Green Belt openness but the level of harm would be limited.

*Appropriateness of hard surfaced paths*

The proposed paths would be 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.

The proposed paths would be very minor in scale and simply serve to connect an existing path to the canopy entrances. Having regard to its scale and location, this aspect of the development would not harm Green Belt openness or conflict with any of the purposes of including land within the Green Belt

Very special circumstances?

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 of the NPPF goes on to state 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 proposed building would represent inappropriate development in the Green Belt and result in a loss of Green Belt openness. In accordance with the NPPF, substantial weight is attached to this harm.

The supporting information explains that the additional dining space is required to address the significant deficiency in the dining areas at the school. In 2017, Hertfordshire County Council (HCC) requested that Chancellor's expand to take an additional form of entry of students. This was agreed and the first year group of students started to attend in September 2019. The number of students on roll will increase from the 1047 students in 2017 to approximately 1300 students in September 2023.

Government guidance in the form of 'Building Bulletin 103: Area Guidelines for Mainstream Schools' (BB103) was applied to assess the suitability of dining space provision within the existing school. The proposed size of the building (11m by 20m, namely 220m<sup>2</sup>), combined with the existing restaurant area (185m<sup>2</sup>) will fully address the deficit space and reach the required minimum of 337m<sup>2</sup>, recommended in BB103 for a school of this size.

Further to the above, the applicant also highlights that the new canopy will give choice for students to socialise and eat, within a protected outdoor environment in all weathers. The proposed works will also help to minimise focussed concentrations of pupils at lunch and break times around the existing dining hall area.

It is considered that the proposed dining canopy will provide much needed covered dining for the increased numbers of pupils. Such core provision for the school weighs heavily in favour of the proposal. The improved dining choice for pupils which would result, particularly for those with packed lunches,

	is an additional benefit. Further to the above, it is considered that the other considerations advanced 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.
<b>Conclusion</b>	
Very special circumstances exist to clearly outweigh harm to the Green Belt. The proposal is acceptable in all other respects.	

#### 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
2207 3 00 0001	A	Existing Location and Site Plan	27 October 2020
2207 3 00 0002		Proposed Location and Site Plan	9 October 2020
2207 3 00 0003		Existing Elevations	9 October 2020
2207 3 00 0004	A	Proposed Elevations	27 October 2020
2207 3 00 0005		Proposed Sections	9 October 2020

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.

2. 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:**

Mr William Myers  
22 December 2020